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Regulations

TITLE 14—CIVIL AVIATION

Chapter I—Civil Aeronautics Board

[Civil Air Regs. Amdt. 97-0]

PART 97—RULES OF PRACTICE GOVERNING SAFETY CASES ARISING UNDER SECTIONS 602 AND 609 OF THE CIVIL AERONAUTICS ACT OF 1938, AS AMENDED, AND PETITIONS FOR WAIVERS OF CIVIL AIR REGULATIONS

At a session of the Civil Aeronautics Board held at its office in Washington, D. C., on the 3d day of December 1946.

Effective January 1, 1947, Part 97 of the Civil Air Regulations is amended to read as follows:

- Sec.
- 97.10 Initiation of proceedings.
 - 97.11 Complaint; order to show cause; allegations.
 - 97.12 Filing of complaint or order to show cause.
 - 97.13 Service.
 - 97.14 Answer.
 - 97.15 Motions to make more definite and certain.
 - 97.16 Request for or waiver of hearing.
 - 97.17 Notice of hearing.
 - 97.18 Amendment of pleadings.
 - 97.19 Appearances.
 - 97.20 Subpoenas.
 - 97.21 Depositions.
 - 97.22 Submission without hearing or appearance.
 - 97.23 Hearing cases; initial decision; exceptions; oral argument.
 - 97.24 Refusal of Administrator to issue airman certificates.
 - 97.25 Petition for waiver of Civil Air Regulations.
 - 97.26 Stay of order pending judicial review.
 - 97.27 Petition for rehearing, reargument, reconsideration, or modification of order.
 - 97.28 Evidence.
 - 97.29 Trial Examiners; Authority.
 - 97.30 Submittals and decisions.
 - 97.31 Saving clause.
 - 97.32 Applicable rules of Federal Procedure.

AUTHORITY: §§ 97.10 to 97.32, inclusive, issued under sec. 205a, 52 Stat. 984; secs. 1001, 1002, 52 Stat. 1017, 1018; secs. 3, 12, Pub. Law 404, 79th Con., 49 U. S. C. 425 (a), 641, 642.

§ 97.10 *Initiation of proceedings.* A proceeding may be initiated by the Administrator of Civil Aeronautics as plain-

tiff by filing a complaint with the Board. In any case where, under the provisions of the Civil Aeronautics Act of 1938, as amended, the circumstances, in the opinion of the Board, require action and no complaint has been filed by the Administrator of Civil Aeronautics, the Board may institute proceedings on its own initiative by the issuance of an order to show cause.

§ 97.11 *Complaint; order to show cause; allegations.* The complaint or order to show cause shall contain:

(a) A short and plain statement of the grounds upon which the Board's legal authority and jurisdiction rests;

(b) A plain statement of the facts which the Administrator or the Board proposes to establish; and

(c) A statement of the action of the Administrator requests of the Board, or which the Board proposes to take on its own initiative.

§ 97.12 *Filing of complaint or order to show cause.* An original and nine copies of the complaint or order to show cause, either in printed or typewritten form, shall be filed with the Docket section of the Board.

§ 97.13 *Service.* When a complaint or order to show cause is filed the Safety Legal Division shall send a copy thereof by registered mail, return receipt requested, to the defendant, together with a copy of these rules of practice and a statement concerning hearing as provided in § 97.16. The complaint or order to show cause will be deemed served upon the defendant on the date specified on the postal return receipt.

§ 97.14 *Answer.* After service upon him of the complaint or order to show cause the defendant shall have ten days within which to answer in writing the allegations set forth therein. Such answer shall be deemed filed as of the date of mailing to the Civil Aeronautics Board properly addressed and postage prepaid. Failure to answer any of the allegations within the prescribed ten-day period shall be deemed an admission of the allegations not answered. Upon good cause shown, the examiner to whom the

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case is assigned or the Safety Legal Division may grant additional time within which to answer.

§ 97.15 *Motions to make more definite and certain.* Defendant may file with his answer a motion that the allegations in the complaint or order to show cause be made more definite and certain. Such motion shall point out the defects complained of and the details desired.

§ 97.16 *Request for or waive of hearing.* An appropriate form for requesting or waiving a hearing shall be mailed to defendant with a copy of the complaint or order to show cause. Defendant shall have until the time for filing of his answer to the complaint or order to show cause to request a hearing. Failure to make such request within the prescribed time shall be deemed a waiver of defendant's right to a hearing. The defendant may at any time cancel his request for a hearing.

§ 97.17 *Notice of hearing.* When a hearing has been requested, the Safety Legal Division shall give the defendant adequate notice of the date and place where such hearing will be held; the nature thereof; the legal authority and jurisdiction under which the hearing is to be held; and the matters of fact and law asserted. In fixing the times and places for hearings due regard shall be had for the convenience and necessity of the parties and their representatives.

§ 97.18 *Amendment of pleadings.* Either party to the proceedings may amend his pleadings, as a matter of course, by serving a copy of such amended pleadings on the adverse party and by filing with the Board at any time more than 15 days prior to the date of hearing three copies of the amended pleadings. After that time, or in the event a hearing has been waived, amendment shall be allowed at the discretion of the examiner assigned to the case. In case of an amendment to any pleading, the examiner shall allow the party affected thereby a reasonable opportunity to reply thereto and to request a hearing thereon.

§ 97.19 *Appearances.* Any party to a proceeding may appear and be heard in person or by attorney. No register of attorneys who may practice before the Board is maintained and no application for admission to practice is re-

quired. Any attorney practicing or desiring to practice before the Board may, upon hearing and good cause shown, be suspended or prohibited from so practicing.

§ 97.20 *Subpoenas.* Subpoenas requiring the attendance of witnesses, or the production of evidence, at a designated place of hearing, shall be issued to any party to a proceeding upon proper application to an examiner duly designated by the Board for such purpose.

Such application shall be in writing and must show the general relevance and reasonable scope of the evidence sought. An application for the subpoena for the production of evidence must describe in detail the articles or documents desired.

§ 97.21 *Depositions.* After answer is filed by defendant the testimony of any person within the United States may be taken by deposition at the instance of either party to the proceedings. Such depositions shall be taken before any person having power to administer oaths who is designated by the Safety Legal Division or the examiner to whom the case is assigned, in accordance with the provisions of section 1004 of the Civil Aeronautics Act of 1938, as amended.

§ 97.22 *Submission without hearing or appearance.* Where a hearing has been waived by the defendant, the examiner, on the basis of the pleadings and the documentary evidence submitted to the Board by the parties, shall prepare the initial decision. The examiner shall serve a copy of this initial decision upon the defendant and his counsel, if any, and upon the plaintiff, by personal service or registered mail. The parties to the proceedings shall have ten days, or such other time as the examiner may specify, after the date of service of such initial decision within which to file exceptions and appeal to the Board. The date of service shall be the date shown upon which service was actually effected except where service is made by registered mail the date of service shall be the date shown on the postal return receipt. If no appeal to the Board is filed or action by the Board to review such decision is entered within the time allowed, such decision shall without further proceedings then become the decision of the Board.

§ 97.23 *Hearing cases; initial decision; exceptions; oral argument.* In any case in which a hearing has been requested, at the close of the hearing the examiner may render his initial decision orally or, if either party requests or the examiner desires the initial decision to be in writing, the examiner shall prepare and cause the same to be served upon the parties by registered mail or personal service as soon as possible. An appeal to the Board must be made in writing and shall clearly state the exceptions taken and the assignments of error upon which the appeal is predicated. A request for oral argument must also be in writing and shall clearly state any special reasons therefor. If no appeal to the Board is filed or action by the Board to review such decision is en-

tered within the time allowed, such decision shall without further proceedings then become the decision of the Board.

§ 97.24 *Refusal of Administrator to issue airman certificates.* Any person whose application for the issuance or renewal of an airman certificate or rating has been denied may petition the Board for a review of the action of the Administrator. Upon request petitioner shall be granted a hearing which shall be conducted in accordance with the procedure set forth in § 97.23, or he may submit the matter for determination without a hearing in accordance with the procedure set forth in § 97.22.

§ 97.25 *Petition for waiver of Civil Air Regulations.* Any person adversely affected by the requirements of any Civil Air Regulation may petition the Board for a waiver of such requirements and the Board will, after a consideration of the matters presented in the petition, and as it may appear in the public interest, either grant or deny such petition in whole or in part. A public hearing will not be held on a petition for waiver of the Civil Air Regulations, unless expressly so ordered by the Board.

§ 97.26 *Stay of order pending judicial review.* The filing of a petition for a judicial review of an order made under these rules as provided in section 1006 of the Civil Aeronautics Act of 1938, as amended, shall not operate to stay the effectiveness of the order unless specifically so ordered by the Board. The petitioner may request, and if good cause is shown therefor, the Board will stay the effectiveness of the order from which an appeal is being taken.

§ 97.27 *Petition for rehearing, reargument, reconsideration or modification of order.* (a) Either party to a proceeding may petition for rehearing, reargument, reconsideration or modification of any final order of the Board within fifteen days after the receipt thereof. Every such petition shall be in writing, filed with the Board and served by petitioner upon the adverse party and his attorneys of record. If the petition be to take further evidence, the nature and purpose of the new evidence to be adduced must be briefly stated and the reasons why such evidence was not presented at the time of the prior hearing must be stated. If the petition be for reargument, reconsideration or modification of the order, the matters claimed to have been erroneously decided must be specified and the alleged errors briefly stated.

(b) Replies to petitions filed pursuant to this section shall be filed and served upon petitioner and his attorneys of record within ten days after the receipt of the petition. Upon good cause shown the Safety Legal Division may extend the time for filing such replies.

(c) The filing of a petition to rehear or reargue a proceeding or to reconsider or modify an order, shall not operate to stay the effectiveness of the order, unless otherwise ordered by the Board.

§ 97.28 *Evidence—(a) Right to full and true disclosure of the facts.* Every party shall have the right to present his case or defense by oral or documentary

evidence, to submit evidence in rebuttal, and to conduct such cross-examination as may be required for a full and true disclosure of the facts.

(b) *Burden of proof.* In general the proponent of any rule or order shall have the burden of proof thereof.

(c) *Admission and exclusion of evidence.* The trial examiner shall admit relevant, material, and competent evidence, but shall exclude irrelevant, immaterial, incompetent, or unduly repetitious evidence.

(d) *Order to be based on whole record.* No order shall be issued except upon consideration of the whole record or such portions as may be cited by any party and as supported by and in accordance with reliable, probative and substantial evidence.

(e) *Objections.* Objections to the evidence before a trial examiner shall be in short form; but written argument in support of such objections, specifying the grounds thereof, may be presented at the discretion of the trial examiner. The transcript shall not include argument or debate thereon except as ordered by the trial examiner. Rulings on such objections shall be a part of the transcript. An objection not urged in an appeal from the examiner's initial decision will be deemed to have been waived.

§ 97.20 *Trial examiners' authority.* Trial examiners shall have the authority, subject to the published rules of the Board and within its powers, as follows:

(a) To give notice concerning, and hold, hearings;

(b) To administer oaths and affirmations;

(c) To examine witnesses;

(d) To take or cause depositions to be taken whenever the ends of justice would be served thereby;

(e) To rule upon offers of proof and receive competent evidence;

(f) To regulate the course of the hearing;

(g) To hold conferences, before or during the hearing, for the settlement or simplification of issues, by consent of the parties;

(h) To dispose of procedural requests or similar matters;

(i) Within his discretion, or upon the direction of the Board, to certify any question to the Board for its consideration and disposition;

(j) To issue subpoenas as provided for in § 97.22;

(k) To make initial decisions;

(l) To take any other action authorized by these rules; and

(m) The trial examiner's authority in each case will terminate:

(1) When the time for appeal from the initial decision shall have expired,

(2) When he shall have withdrawn from the case upon considering himself disqualified, and

(3) Whenever the Board shall have determined that the trial examiner is disqualified, upon the filing in good faith of a timely and sufficient affidavit of bias or disqualification.

§ 97.30 *Submittals and decisions.* At any time during the process of hearing

and appeal to the Board, the examiner shall give the parties to the proceeding adequate opportunity for the presentation of arguments in support of motions, objections, and exceptions. Prior to each initial decision, or decision upon a Board review thereof, the parties shall be afforded a reasonable opportunity to submit for consideration (a) Proposed findings and conclusions, or (b) Exceptions to the initial decisions of the trial examiners, and (c) Supporting reasons for such exceptions or proposed findings or conclusions. The record shall show the ruling upon each such finding, conclusion, or exception presented.

§ 97.31 Saving clause. The repeal or amendment of any Civil Air Regulation shall not affect any pending proceeding or any proceeding thereafter commenced to alter, amend, modify, suspend, or revoke any certificate issued by the Administrator for causes arising or acts committed prior to said repeal or amendment, unless the act of repeal or amendment specifically so provides.

§ 97.32 Applicable rules of Federal procedure. In any situation not provided for or controlled by the foregoing rules of practice, the rules of civil procedure for the District Courts of the United States, wherever applicable, shall govern.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21433; Filed, Dec. 11, 1946;
8:47 a. m.]

PART 280—FORMS AND APPLICATIONS

CROSS REFERENCE: For corrected notice of proposed rule making under this part, see F. R. Doc. 46-21311, Civil Aeronautics Board, in Notices section, *infra*.

TITLE 17—COMMODITY AND SECURITIES EXCHANGES

Chapter II—Securities and Exchange Commission

PART 230—GENERAL RULES AND REGULATIONS, SECURITIES ACT OF 1933

ADOPTION OF RULE DEFINING CERTAIN TERMS AND STATEMENT OF COMMISSION POLICY RELATING THERETO

Acting pursuant to the Securities Act of 1933, particularly sections 2 (3) and 19 (a) thereof, the Securities and Exchange Commission, deeming such action necessary and appropriate in the public interest and for the protection of investors and necessary to carry out the provisions of the act, hereby adopts § 230.131 (Rule 131). The Commission finds that the rule is primarily in the nature of an interpretation of certain provisions of section 2 (3) of the act; that it relieves restriction; that notice and public procedure pursuant to sections 4 (a) and (b) of the Administrative Procedure Act are unnecessary; and that the rule may be declared effective immediately pursuant to section 4 (c) of

that act. Section 230.131 (Rule 131) shall provide as follows:

§ 230.131 Definition, for certain purposes, of "offer to sell", "offer for sale", "attempt or offer to dispose of", and "solicitation of an offer to buy" as used in section 2 (3). (a) Sending or giving to any person, before a registration statement becomes effective, a copy of the proposed form of prospectus filed as a part of such registration statement, shall not in itself constitute an "offer to sell", "offer for sale", "attempt or offer to dispose of", or "solicitation of an offer to buy" as used in section 2 (3) of the act, *Provided*:

(1) Such proposed form of prospectus contains substantially the information required by the act and the rules and regulations thereunder to be included in a prospectus for registered securities, or contains substantially that information except for the omission of information with respect to the offering price, underwriting discounts or commissions, discounts or commissions to dealers, amount of proceeds, conversion rates, call prices, or other matters dependent upon the offering price, and

(2) Each page of every copy of such proposed form of prospectus contains the following statement printed in red ink in type as large as that used generally in the body thereof:

A registration statement relating to the securities referred to herein has been filed with the Securities and Exchange Commission, but has not yet become effective. Information contained herein is for informative purposes only, and is subject to correction and change without notice. Under no circumstances is it to be considered a prospectus, or as an offer to sell, or the solicitation of an offer to buy the securities referred to herein. No offer to buy or sell any such securities should be made and no order to purchase the securities herein referred to will be accepted unless and until a registration statement under the Federal Securities Act of 1933 relating to the securities herein referred to has become effective.

(b) This rule shall not apply to sending or giving of any proposed form of prospectus if, at the time such proposed form of prospectus is sent or given to any person, the registration statement is the subject of pending proceedings under section 8 (b), 8 (d), or 8 (e) of the act, or of an order entered under any of such sections. (Secs. 2 (3) and 19 (a) 48 Stat. 74, 85; 15 U. S. C. 77b, 77s.)

§ 230.131a Statement of Commission policy relating to § 230.131. Section 230.131 is to be effective for a trial period of six months from December 6, 1946, during which time its operation will be closely studied by the Commission to determine whether it should be continued, modified, or rescinded.

Section 8 (a) of the act, in outlining the conditions under which the Commission may accelerate the effectiveness of a registration statement, requires the Commission to consider whether adequate information respecting the issuer has been available to the public. The Commission, in considering requests for acceleration of the effective date of registration statements, will consider whether adequate dissemination has been made of copies of the proposed form of pros-

pectus, as permitted by § 230.131. The determination of what constitutes adequate dissemination must, of course, remain a question of fact in each case after consideration of all pertinent factors. It would, however, involve as a minimum the distribution, a reasonable time in advance of the anticipated effective date, of copies of such proposed form of prospectus to all underwriters and dealers who may be invited to participate in the distribution of the security. However, the granting of acceleration will not be conditioned upon the distribution of such copies in any state where their distribution would be illegal. In this connection, any registrant or underwriter may, before distributing such copies, obtain from the Commission's staff an opinion whether the proposed distribution of copies would be deemed adequate.

The Commission will continue its policy enunciated in 17 CFR 230.131a (Securities Act Release No. 3061), of refusing acceleration where materially inaccurate or inadequate red herrings (copies of proposed form of prospectus) have been circulated until corrected information has been communicated to those persons receiving the red herring. (Securities Act Release No. 3177, December 6, 1946)

(48 Stat. 74, 85; 15 U. S. C. 77b (3), 77s)

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

DECEMBER 6, 1946.

[F. R. Doc. 46-21410; Filed, Dec. 11, 1946;
8:49 a. m.]

PART 259—FORMS, PUBLIC UTILITY HOLDING COMPANY ACT OF 1935

WITHDRAWAL FROM EXEMPTION OF ANY COMPANY WHICH IS ISSUER OF SECURITIES OR OBLIGOR UNDER OBLIGATIONS GUARANTEED OR ASSUMED BY ANY REGISTERED HOLDING COMPANY

CROSS REFERENCE: For a supplementary notice concerning proposed rule making under this part, see F. R. Doc. 46-21403, Securities and Exchange Commission in Notices section, *infra*.

TITLE 24—HOUSING CREDIT

Chapter VIII—Office of Housing Expediter

[Housing Expediter Priorities Reg. 6,
Amdt. 1]

PART 803—PRIORITIES REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

PREFABRICATED HOUSING

Section 803.6 Housing Expediter Priorities Regulation 6 (11 F. R. 13627) is amended by substituting a new paragraph (n) (2) which reads as follows:

(2) *HH rated orders for other Schedule A materials.* For the other Schedule A materials (excluding those listed in subparagraph (1) of this paragraph), he may use an HH rating on his purchase

orders. The HH rating may be applied to a purchase order by placing on the order a written certificate as explained in Schedule A to CPA Priorities Regulation 33. The certificate is as set out below:

**VETERANS' EMERGENCY HOUSING PROGRAM
APPLICATION SERIAL NUMBER**

I certify to the U. S. Government that an HH rating has been assigned for the materials covered by this order. The materials will be used only for housing accommodations, as authorized.

Purchaser

Purchase orders already placed with the certificate previously shown in Direction 8 to CPA Priorities Regulation 33 and in this section need not be re-certified. Printed and other prepared forms of the previous certificate may continue to be employed until they are used up.

(Title III, 56 Stat. 177, as amended; 60 Stat. 207; 50 U. S. C. App. Supp. 633; CPA Dir. 42, 11 F. R. 9514)

Issued this 10th day of December 1946.

DAVID L. KROOTH,
Acting Housing Expediter.

[F. R. Doc. 46-21472; Filed, Dec. 10, 1946;
3:38 p. m.]

[Premium Payments Reg. 10, Interpretation 1]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

MEANING OF "SAND-LIME BRICK"

The following interpretation is issued with respect to Premium Payments Regulation 10:

In order to meet the requirements for sand-lime brick set forth in paragraph (a) (1) of EPRR 10, a sand-lime brick must include the ingredients set forth in the Federal Specification for sand-lime brick and may also include cement but only when, and to the extent that, this is necessary to overcome strength deficiencies. In all cases, sand-lime brick must be cured under high steam pressure to develop the chemical reaction characteristic of sand-lime brick (industry practice requires the use of a chamber or auto-clave within which an average of not less than 110 pounds per sq. in. steam pressure is developed and maintained for at least eight hours).

Issued this 11th day of December 1946.

DAVID L. KROOTH,
General Counsel.

[F. R. Doc. 46-21559; Filed, Dec. 11, 1946;
11:43 a. m.]

[Premium Payments Reg. 11, Amdt. 2]

PART 805—PREMIUM PAYMENTS REGULATIONS UNDER VETERANS' EMERGENCY HOUSING ACT OF 1946

HOUSING NAILS

Section 805.11 (Housing Expediter Premium Payments Regulation No. 11 (11 F. R. 13015, 14135)) is amended in the following respects:

1. By substituting for present paragraph (a) (1) new paragraph (a) (1) reading as follows:

(1) "Nails" means nails of any length, in any gauge and in any finish, manufactured from carbon steel rod or carbon steel wire only, and commonly known to the industry as wire nails.

2. By substituting for present paragraph (a) (2) new paragraph (a) (2) reading as follows:

(2) "Housing nails" means nails 4 inches or less in length in any gauge and in any finish, manufactured from carbon steel rod or carbon steel wire only, and commonly known to the industry as wire nails.

3. By substituting for present paragraph (a) (3) new paragraph (a) (3) reading as follows:

(3) "Nail rod" means carbon steel rod 3 gauge, or finer, and suitable for nail wire or for the production of housing nails.

4. By substituting for present paragraph (a) (4) new paragraph (a) (4) reading as follows:

(4) "Nail wire" means carbon steel wire 4 gauge, or finer, and suitable for the production of housing nails.

5. By renumbering paragraphs (a) (4) through (a) (20) to (a) (5) through (a) (21) in sequence.

6. By deleting from paragraph (b) (1) (ii) the word "total".

7. By deleting the last two sentences of paragraph (b) (3) and substituting the following: "Provided, however, That if on the producer's application the Expediter determines that such deficit was due to unusual circumstances beyond the control of the producer such deficit shall not be added to the established quota. Such application for waiver of the deficit carry-over shall be made by filling out form NHA 14-122 and filing it as provided in paragraph (f) of this section."

8. By changing paragraph (c) to read as follows:

(c) *Application for quota.* Every producer who wishes to receive premium payments under this section shall file promptly with the Expediter an application for the establishment of his quota. Application shall be made on form NHA 14-121 which may be obtained from the Manager, Loan Agency, Reconstruction Finance Corporation, Chicago, Illinois.

9. By inserting in the second sentence of paragraph (e) (1) after the words "Form NHA 14-127" the phrase ", which may be obtained from the Manager, Loan Agency, Reconstruction Finance Corporation, Chicago, Illinois."

10. By changing paragraph (f) (2) to read as follows:

(2) A producer shall file each claim for Premium A on or before the last day of the month following the end of the month in which the housing nails were produced except that claims for October and November 1946 may be filed up to and including January 31, 1947. Any producer whose production in any

month is insufficient to permit the payment of Premium A shall nevertheless file form NHA 14-122 with the Manager, Reconstruction Finance Corporation, 208 South La Salle Street, Chicago 4, Illinois, on or before the last day of the month following the month in which the deficit occurred (except that if the deficit occurred in October or November 1946 form NHA 14-122 may be filed up to and including January 31, 1947) as an information return to indicate the amount of the deficit: *Provided, however, That if such information return contains a request for waiver of the deficit carry-over provided in paragraph (b) (2) the information return shall be filed within 15 days of the end of the month in which the deficit occurred except that if the deficit occurred in October or November 1946 the information return may be filed up to and including January 15, 1947.*

11. By adding at the end of paragraph (f) (3) the following sentence: "*Provided, however, That claims for the months of October and November, 1946, and accompanying certifications may be filed up to and including January 31, 1947.*"

12. By changing paragraph (g) (4) (a) (iii) to read as follows:

(iii) Has failed, during any month subsequent to September 30, 1946, to maintain total production of nails of all sizes equal to or greater than his average monthly production of nails of all sizes during the base period, or,

13. By inserting in paragraph (g) (4) (a) (iv) the word "wire" before the words "bale ties".

14. By changing paragraph (g) (4) (b) to read as follows:

(b) The Expediter shall have the right at any time to declare invalid in whole or in part any claim of a non-integrated producer and such producer shall upon demand refund to RFC any payment on such claim or part thereof if the Expediter finds that the non-integrated producer has not consumed in the production of nails within 60 days of receipt, nail rod or nail wire which he has certified would be so consumed.

15. This amendment shall be effective as of October 1, 1946.

Issued this 5th day of December 1946.

WILSON W. WYATT,
Housing Expediter.

[F. R. Doc. 46-21558; Filed, Dec. 11, 1946;
11:43 a. m.]

TITLE 26—INTERNAL REVENUE

Chapter I—Bureau of Internal Revenue

Subchapter F—Organization and Procedures

PART 600—ORGANIZATION

PART 601—PROCEDURE

MISCELLANEOUS AMENDMENTS

In F. R. Doc. 46-15357, appearing at page 177A-22, Part II, Section 1, of the issue for September 11, 1946, the following corrections are made:

1. In § 600.1 (b) (1) (i) the word "submitted" should read "submitted".
2. Delete the reference "(iii) Rules" which immediately precedes § 600.1 (b) (2) *Publication and public inspection*.
3. In the second sentence of § 600.1 (b) (2) (i) the word "necessitates" should read "necessitate".
4. In § 600.1 (b) (2) (i) (a) the reference "Treasury Decision 4878" should read "Treasury Decision 4878".
5. In the first sentence of § 600.1 (b) (2) (i) (c) the word "rephrasing" should read "rephrasing".
6. In § 600.8 (b) (2) the reference "Forms 35-1a" should read "Forms SS-1a".
7. In § 600.10 (b) (2) the word "personal" should read "personnel".
8. In the third sentence of § 600.11 (b) (2) (v) the word "involving" should read "involved".
9. In § 600.50 the reference "600.60" should read "600.59".
10. In the fourth sentence of § 600.51 (b) the words "collectors make refunds" should read "collectors make refunds or credits".
11. In the list of collection districts in § 600.51 (d) the word "Naverick" under territory in the 1st district of Texas should read "Maverick".
12. In the last sentence of § 600.52 (a) the reference "601.7" should read "601.4".
13. In the table of field divisions of the Income Tax Unit in § 600.52 (b) the references to "Seattle 4, Wash." should read "Seattle 1, Wash."; the reference to "Richmond 4, Va." should read "Richmond 19, Va."; the word "Schenectady" should read "Schenectady"; and the word "Brooms" should read "Broome".
14. In the table under § 600.53 (d) the reference "Portland 4, Oreg., 1006 Beddell Bldg." should read "Portland 4, Oreg., 1006 Cascade Bldg.".
15. In the table under § 600.54 the Boston Division, Portland office address shown as "Room 601, Chapman Bldg." should read "Room 801, Chapman Bldg."; and the Louisville Division office shown as "428 Federal Bldg." should read "513 Federal Bldg.".
16. In the second sentence of § 600.55 (a) (2) the reference "601.5" should read "601.8 (a) (3)".
17. In the first sentence of § 600.58 (b) the word "as" should be inserted after the words "The Miscellaneous Tax Unit Field Force functions".
18. In § 600.59 the address of the regional office at San Francisco, California, should read "Appraiser's Bldg., 630 Sansome Street", instead of "Balboa Bldg.".
19. In the second paragraph of § 601.1 (c) (2) the reference "Title 25" should read "Title 28".
20. In the fourth paragraph of § 601.1 (d) (2) the words "Fraud of malfeasance" should read "fraud or malfeasance".
21. In the third sentence of § 601.1 (d) (3) the reference "Form 6560" should read "Form 656C".
22. In the paragraph headed *Form 211* under § 601.1 (f) the word "on" should be deleted.
23. In the third sentence of § 601.1 (e) the words "criminal procedures" should read "criminal proceedings".

24. In the third paragraph of § 601.2 (a), after the reference "T. D. 5522, 11 F. R. 6754" delete the parenthesis and insert "; T. D. 5534, 11 F. R. 9553".

25. In the fourth paragraph of § 601.2 (a) the reference "T. D. 6490" should read "T. D. 5490", and the reference "subchapter 2 of chapter 2" should read "subchapter E of chapter 2".

26. In the eighth paragraph of § 601.2 (a) the reference "25 CFR" should read "26 CFR", and the reference "Treasury Decision 4685" should read "4835". At the end of the paragraph substitute a comma for the semicolon and add the phrase "and as amended by T. D. 4910 (26 CFR, Cum. Supp., Part 2);".

27. At the end of § 601.2 (a) add the following:

"Treasury Decision 4917 (26 CFR, Cum. Supp., Part 20) relating to returns of information with respect to foreign corporations under section 3604 of the Code.

"Treasury Decision 4558 (26 CFR, Cum. Supp., Part 464), as amended (26 CFR, 1940 Supp., Part 464) relating to taxes of insolvent banks and trust companies.

"Treasury Decision 4975 (26 CFR, 1940 Supp., Part 25) relating to taxation under Tax Convention between United States and Sweden.

"Treasury Decisions 5157 and 5206 (26 CFR, Cum. Supp., Part 7, Subpart—Canada) relating to taxation under Tax Convention between United States and Canada.

"Treasury Decision 5499 (11 F. R. 2154) relating to taxation under Tax Convention between United States and France.

"Treasury Decision 5532 (11 F. R. 9334) relating to taxation under Tax Convention between United States and United Kingdom.

"Treasury Decision 5279 (26 CFR, 1943 Supp., Part 472), as amended (26 CFR, 1945 Supp., Part 472) relating to time for performing certain acts postponed because of War under section 3804 of the Code.

"Treasury Decision 5300 (26 CFR, 1943 Supp., Part 36), as amended (26 CFR, 1944 Supp., Part 36) relating to relief from double payment of tax for 1943 under section 6 of Current Tax Payment Act of 1943."

28. At the end of the second sentence of § 601.2 (b) (3) the words "equals or exceeds \$500" should be substituted for the words "exceeds \$500".

29. In the first sentence of § 601.2 (b) (4) the words "of \$500 or more" should be substituted for the words "in excess of \$500".

30. In the second sentence, fifth paragraph, of § 601.2 (c) (1) the words "Conference Division" should read "Conference Staff".

31. In the fifth paragraph of § 601.2 (d) the reference to Form "1159" should read "1139".

32. In the third sentence of § 601.2 (e) the reference "Mim." should be substituted for "I. T. Misc. Coll. No."

33. In the first sentence, second paragraph, of § 601.2 (f) (1) substitute the word "consent" for the word "waiver".

34. In § 601.2 (g) the following changes are made in the paragraphs describing forms:

(a) In the paragraph headed *Form W-2b* substitute the following language for the first sentence: "Withholding statement of wages paid and income tax withheld on wages".

(b) In the paragraph headed *Form W-3* substitute the word "statements" for the word "receipts".

(c) After the paragraph headed *Form 872-E* insert the following paragraph:

Form 873. Acceptance of proposed over-assessment. This form is furnished taxpayers with a revenue agent's report in case the report indicates overassessments for years covered. Its execution by a taxpayer authorizes the agent in charge to forward his recommendation to the Bureau without affording the taxpayer further opportunity for discussion of the agent's findings.

(d) At the end of the paragraph headed *Form 903* delete the period and add the words "determined by the collector."

(e) In the paragraph headed *Form 935* insert after the words "individual return" the words "or declaration", and between the words "tax return" and "executed" insert the words "or declaration".

(f) The paragraph headed *Form 936* should read as follows:

Form 936. Income tax—authorization joint returns or declarations. This form is filed with the joint income tax return or declaration of a husband and wife signed by one spouse for the other.

(g) In the first sentence of the paragraph headed *Form 972* substitute the number "23" for the numbers "25" and "26".

(h) In the first sentence of the paragraph headed *Form 977* the word "transfer" should read "transferee".

(i) After the paragraph headed *Form 982* insert the following paragraph:

Form 982-A. Consent of corporation to have the basis of its property adjusted under section 372 (a) (2), I. R. C.

(j) After the paragraph headed *Form 1001* insert the following paragraphs:

Form 1001-UK. Ownership certificate. This form is to be used by a nonresident alien individual, foreign fiduciary, partnership, or corporation in connection with interest on coupon obligations of the United States or any agency or instrumentality thereof or bonds of a domestic or resident corporation exempt under the Tax Convention between the United States and the United Kingdom, signed April 16, 1945.

Form 1001A-UK. Exemption certificate. This form is to be used by a nonresident alien individual, foreign fiduciary, partnership, or corporation claiming exemption from, or reduction in rate of, United States tax under the Tax Convention between the United States and the United Kingdom signed April 16, 1945.

(k) In the second sentence of the paragraph headed *Form 1040* substitute for the words "personal exemption" the word "amount".

(l) After the paragraph headed *Form 1040-NB-a* insert the following paragraph:

Form 1040-NB (United Kingdom). Non-resident alien income tax return. This form is used by a resident of the United Kingdom with no permanent establishment in the United States and subject to United Kingdom tax with respect to income from sources

within the United States, as provided in the Tax Convention between the United States and the United Kingdom, signed April 16, 1945.

(m) In the second sentence of the paragraph headed *Form 1040-C* substitute for the words "the month" the words "and including the date".

(n) Delete the last sentence of the paragraph headed *Form 1042-D* and immediately preceding the words "tax from Canadian addresses" in the second sentence, insert the words "and 15 percent".

(o) At the end of the first sentence of the paragraph headed *Form 1116* delete the period and add the words "and possessions of the United States".

(p) In the paragraph headed *Form 1120* the parenthetical reference "(other than life insurance company)" should read "(other than life insurance company and certain forms of mutual insurance companies)".

(q) At the end of the paragraph headed *Form 1120-M* add the following sentence: "To be filed by a mutual insurance company other than a life or marine insurance company or a fire insurance company issuing perpetual policies."

(r) After the paragraph headed *Form 1120-NB* insert the following paragraph:

Form 1120-NB (United Kingdom). Non-resident foreign corporation income tax return. To be used by a corporation managed and controlled in the United Kingdom with no permanent establishment in the United States and chargeable to United Kingdom tax with respect to income from sources within the United States, as provided by the Tax Convention between the United States and the United Kingdom, effective January 1, 1945.

35. In the second sentence of § 601.3 (a) (4) the words "with each part" should read "with each party".

36. In the second paragraph of § 601.5 (b) (1) the reference "Form 36-1a" should read "Form SS-1a".

37. In the sixth sentence of § 601.5 (b) (4) the reference "section 14.01 (d)" should read "section 1401 (d)".

38. In the third sentence of § 601.5 (b) (5) the reference "Form 4338" should read "Form 433-B".

39. In the paragraph headed *Form CT-1* under § 601.5 (b) (7) the words "employee's tax" should read "employees' tax".

40. In the paragraph headed *Form 728-A* under § 601.6 (g) the words "for articles" should read "for articles".

41. In § 601.7 (a) (3) substitute "(26 CFR, 1944 Supp., Part 130; T. D. 5521, 11 F. R. 6755)," for the reference "(36 CFR, 1944 Supp., Part 130) 11 F. R. 6755".

42. In § 601.7 (a) (4) (i) the reference "26 CFR," should read "26 CFR,".

43. In § 601.7 (g) the paragraph headed "Form 728-A" should read "Form 729-A".

44. In § 601.8 (a) (1) the word "champagne" should read "champagne".

45. Under § 601.8 (a) (3) the citations for Regulations 13, 15, 16, 18, 19, and 20 should read "(26 CFR, Cum. Supp.)" instead of "(26 CFR, Con. Supp.)".

46. In the paragraph headed "Regulations 28" under § 601.8 (a) (3) the word "perfumery" should read "perfumery".

47. In the paragraph beginning "Regulations 6 (27 CFR, Part 5)", under § 601.8 (a) (3), the reference "(27 CFR, Part 5)" should read "(27 CFR, Part 6)".

48. In the third sentence of § 601.8 (c) the word "disdain" should read "disclaim".

49. In the first sentence of § 601.8 (d) the word "specially" should be substituted for the word "specifically", and the word "be" should be inserted preceding the words "prepared and filed in accordance with Regulations 3".

50. In the second paragraph of § 601.9 (c) the words "as information return" should read "as an information return".

51. In § 601.9 (h) the following changes are made in the paragraphs describing forms:

(a) In the paragraph headed *Form 549* the word "duplicase" should read "duplicate".

(b) In the paragraph headed *Form 550-C* the word "proprietor" should read "proprietor".

(c) In the paragraph headed *Form 668* the number "668" should read "688".

(d) In the paragraph headed *Form 778* the words "cigarettes received" should read "cigarettes receiving".

52. In the second sentence of § 601.10 (c) (1) the word "oleomargine" should read "oleomargarine".

53. In § 601.10 (c) (3) the reference "11 F. R. 298" should read "11 F. R. 295".

54. In the last sentence of note 4 under § 601.10 (c) (6) the word "ammunitions" should read "ammunition".

55. In the first paragraph of § 601.10 (i) (1) the words "such district" should read "each district".

56. In § 601.10 (i) (2) (i) the following changes are made in paragraphs describing forms:

(a) In the paragraph headed *Form 713* the word "narihuana" should read "marihuana".

(b) In the paragraph headed *Form 743a* the number "743a" should read "749".

(c) In the paragraph headed *Form 7 (Firearms)* the reference "(52 Stat. 1230)" should read "(52 Stat. 1250)".

(d) In the paragraph headed *Form 3A (Silver)* the references to "Form 5 (Silver)" should read "Form 3 (Silver)".

(e) In the paragraph headed *Form 3B (Silver)* the words "supplemental return" should read "special monthly return".

(f) In the paragraph headed *Form 36 (Silver)* the references "Form 5 (Silver)" should read "Form 3 (Silver)".

(g) In the paragraph headed *Form 9 (Silver)* the reference "Form 9" should read "Form 9a".

(h) In the paragraph headed *Form 9a (Silver)* the reference "Form 9a" should read "Form 9".

57. In the last sentence, first paragraph, of § 601.11 (a) the reference "§ 601.52" should read "§ 600.52", and the reference "§ 601.53" should read "§ 600.53".

58. In the fifth sentence, first paragraph, § 601.11 (b) the words "That no application must be" should read "that an application must be".

59. In the second paragraph of § 601.12 (a) delete the word "and" preceding the reference "T. D. 5511", substitute a semi-

colon for the period at the end of the paragraph, and add at the end of the paragraph the language "and T. D. 5533, 11 F. R. 9425."

60. In § 601.13 (d) the words "tax return" should read "tax returns".

61. The second sentence of § 600.1 (b) (2) (d) should read "Treasury Decision 5428, 10 F. R. 622."

62. In § 600.1 (b) (2) (ii) (a) the reference "26 CFR, Part 458," should read "26 CFR, Part 458, Subpart D".

63. In the first sentence of § 600.11 (b) (2) (ix) the parenthetical reference "Cumulative Bulletin XIV-2, p. 318" should read "26 CFR, Part 458, Subpart D".

64. In the first sentence, second paragraph of § 601.11 (a), after "Regulations 109" insert "(26 CFR, 1941 Supp., Part 30)".

65. In the third paragraph of § 601.12 (b), after "Treasury Decision 5295" insert "(see paragraph (a) of this section)" and in the fourth paragraph after "Treasury Decision 5295" change the period to a comma followed by the word "supra" followed by a period.

JOSEPH J. O'CONNELL, JR.,
Acting Secretary of the Treasury.

[F. R. Doc. 46-20950; Filed, Nov. 26, 1946; 8:49 a. m.]

TITLE 32—NATIONAL DEFENSE

Chapter IX—Civilian Production Administration

AUTHORITY: Regulations in this chapter unless otherwise noted at the end of documents affected, issued under sec. 2 (a), 54 Stat. 676, as amended by 55 Stat. 236, 56 Stat. 177, 58 Stat. 827, and Public Laws 270 and 475, 79th Congress; Public Law 388, 79th Congress; E. O. 9024, 7 F. R. 329; E. O. 9040, 7 F. R. 527; E. O. 9125, 7 F. R. 2719; E. O. 9599, 10 F. R. 10155; E. O. 9638, 10 F. R. 12591; C. P. A. Reg. 1, Nov. 5, 1945, 10 F. R. 13714; Housing Expediter's Priorities Order 1, Aug. 27, 1946, 11 F. R. 9507.

PART 944—REGULATIONS APPLICABLE TO THE OPERATION OF THE PRIORITIES SYSTEM

[Priorities Reg. 33, Schedule A as Amended Dec. 10, 1946]

Section 944.54a *Schedule A to Priorities Regulation 33*, is amended to read as follows:

There is a shortage in the supply of the materials and facilities listed in paragraph (b) of this schedule for defense, for private account and for export. These materials and facilities are suitable for the construction and completion of housing accommodations in rural and urban areas and for the construction and repair of essential farm buildings. The allocation of, and the establishment of priorities for the delivery of, these materials and facilities in the manner, upon the conditions and to the extent provided in this schedule and other applicable regulations, orders, directives, schedules and directions of the Civilian Production Administration and of the Housing Expediter are necessary and appropriate in the public interest, to promote the national defense and to effectuate the purposes of the Veterans' Emergency Housing Act of 1946.

§ 944.54a *Schedule A to Priorities Regulation 33*—(a) *Establishment of allocation and priorities system.* Priorities for the delivery of the materials and facilities listed in paragraph (b) of this schedule are hereby established, and they may be allocated, under the Veterans' Emergency Housing Act of 1946, as provided in this schedule and in other orders, regulations, directions, schedules and directives of the Civilian Production Administration. These priorities consist in general of HH and HHH ratings. The method by which these ratings may be applied and other provisions concerning their use are set forth in paragraph (c) of this schedule. The effect of these ratings shall be the effect provided in applicable regulations of the Civilian Production Administration (including Priorities Regulations 1 and 3, schedules and directions to Priorities Regulation 33, and orders in the "L" series). In addition, some of these applicable regulations provide for "certified" and "authorized" orders for some of these materials under certain conditions. The terms and conditions under which these ratings will be assigned and the conditions and requirements imposed upon the use of materials obtained by means of these ratings and upon housing accommodations constructed or manufactured from such materials are set forth in Housing Expediter Priorities Regulation 5, Priorities Regulation 33 and in other applicable regulations of the Civilian Production Administration and the Housing Expediter.

(b) *List of short materials.* The materials and facilities for which priorities are established by this schedule are listed below. The listing includes only residential types of the items mentioned. The fact that a residential type may also be suitable for nonresidential use does not take it out of the "residential" class.

MATERIALS AND FACILITIES SUBJECT TO HH RATINGS

A. Lumber Materials

1. Flooring, hardwood, residential, as defined in Order L-359.
2. Lumber, housing construction, as defined in Order L-359.
3. Millwork (including doors, built-in kitchen cabinets and screens), as defined in Order L-359.
4. Plywood, construction (softwood), as defined in Order L-358. Limited by Order L-358 as to quantities.
5. Plywood, hardwood (An HH rating may be used for this material only by a house trailer manufacturer authorized by Form NHA 14-44).

B. Electrical Wiring Materials

1. *Cable, metallic or nonmetallic sheathed.
2. Lighting fixtures, not including portable lamps.
3. Raceways (including rigid and flexible conduit, thin-wall metallic tubing, surface metal raceways) and fittings.
4. Service entrance equipment (of the following kinds only: (a) Fuse cut-outs; (b) meter pans; (c) panel-boards; (d) service switches).

See paragraph (v) of Schedule B to PR 33 for special rule regarding HHH and HH rated orders for items marked with an asterisk () in the above list.

5. Wiring devices (of the following kinds only: (a) Sockets, lampholders, and lamp receptacles—medium screw base types; (b) convenience receptacles (outlets); (c) toggle switches; (d) wall and face plates; (e) outlet, switch and receptacle boxes—covers, hangers, supports, and clamps included; (f) box connectors for metallic or nonmetallic sheathed cable).

C. Hardware Materials

1. Builders hardware (of the following types only: (a) Butts, hinges, hasps; (b) door locks, lock trim; (c) sash, screen, and shelf hardware; (d) night latches, dead locks; (e) spring hinges; (f) sash balances, sash pulleys).
2. *Nails (ferrous, of the following kinds only: Wire and cut nails 2d to 20d, inclusive; nails and brads smaller than 2d but suitable for roofing, siding, lath, or millwork). This does not include 2d to 10d cement and bright box nails.

D. Masonry Materials

1. Brick, common and face, clay.
2. Brick, sand lime.
3. Concrete block and brick.
4. Cement, portland (all types, including high early strength, limestone, slag, and sulfate resistant).
5. Tile, common and face, structural.

E. Plumbing and Heating Supplies

1. Bathtubs (steel, cast iron).
2. Boilers, low pressure, for heating and hot water.
3. Controls, temperature and combustion, for heating and hot water.
4. Fittings and trim (brass tubular goods included) for bathtubs, kitchen sinks, lavatories, and waterclosets.
5. Furnace pipes, fittings, and duct work.
6. Furnaces, floor, wall.
7. Furnaces, warm air (forced or gravity circulation types of the following kinds only: (a) Gas-fired—rated input 110,000 or less B. T. U. per hour; (b) oil-fired—rated output 100,000 or less B. T. U. per hour; (c) coal-fired—grate not larger than either 2.64 sq. ft. in area or 22" in diameter).
8. Kitchen sinks and undersink cabinets. (This includes sinks and sink-and-tray combinations, undersink cabinets with or without sinks, and any fixture containing a kitchen sink.)
9. Lavatories.
10. Oil burners, domestic.
11. Pipe, bituminized fibre, for drains and sewers.
12. Pipe, sewer, clay.
13. Pipe, soil, cast iron, and fittings for such pipe.
14. *Pipe, steel and wrought iron, black and galvanized, sizes $\frac{3}{8}$ " to 4" inclusive, standard weight.
15. *Pipe fittings, screwed (of the following kinds only: (a) Gray cast recessed drainage, 2" and under; (b) gray cast steam fittings, 3" and under (125 lbs. S. W. P.); (c) malleable fittings, including unions, 2" and under (150 lbs. S. W. P.)).
16. *Pipe nipples, steel and wrought iron, black and galvanized, sizes $\frac{3}{8}$ " to 4" inclusive, in lengths 6" and less, made from standard weight pipe.
17. Radiation, convector and cast iron, including accompanying metal enclosures and grilles.
18. Range boilers.
19. Registers and grilles for heating systems.
20. Stokers, domestic.
21. Stoves and ranges for cooking and heating, including space heaters.
22. Tanks, septic.
23. Tanks, oil and water storage, capacity 550 gallons or less.
24. *Tubing, copper—types K, L, M—sizes $\frac{3}{8}$ " to 3" inclusive.

25. Tubing fittings (for copper tubing as defined above), pressure (solder and flare) and drainage (solder).
26. Water closets (1-piece combinations; and bowls and tanks, separately or in combination).
27. Water heaters.

F. Prefabricated Housing

1. Prefabricated houses, sections, and panels (as defined in Direction 8 to PR 33).

G. Structural Materials (Metal)

1. Doors and frames, hollow metal and kalamein.
2. *Fabricated reinforcing rod and mesh.
3. Joists, bar, steel.
4. Structural shapes, steel and aluminum, fabricated or cut to length.
5. Window sash and frames, metal (of the following types only: casements; double hung windows; basement windows).

H. Wall and Roof Materials

1. Asbestos-cement flat sheets, $\frac{1}{4}$ " thick or less. This does not include electrical and insulation grades.
2. Building board (products made from wood pulp, vegetable fibres, pressed paper stock, or multiple plies of fibred stock, produced for use in building construction, and commonly described as structural insulation board, sheathing, lath, tile board, plank, thin board or laminated fibre tile board). This does not include the following: acoustical tile, asbestos-cement faced insulation board, mineral surfaced insulation board, roof insulation, and products commonly described as "hard board".
3. Gypsum board (products made from gypsum and commonly described as wall board, wide board, laminated board). This does not include precast reinforced gypsum roof plank.
4. Gypsum lath (gypsum products especially made for use as a plaster base).
5. Lime, finishing.
6. Papers, building and sheathing (of the following kinds only: (a) Asphalt sheathing paper; (b) laminated papers, consisting of two or more plies of paper cemented together with asphalt; (c) metal foil, designed for building use and consisting of one or more layers of metal foil laminated with one or more layers of paper; (d) rosin-sized, red rosin, and house sheathing paper; (e) slaters felt weighing approximately 25 lbs. per 500 square-foot roll).
7. Plaster, hardwall (gypsum plaster—basic, ready-mixed and gauging—made for use in applying base or finish coats to lathed interior walls).
8. Plaster base (metal lath and accessories for metal lath).
9. *Sheet, copper. (A person authorized to use an HH rating may use this material only if (1) he is going to use the material in making any of the following items for the authorized job or units and (2) he has not received other priorities assistance for this purpose from the CPA (under Priorities Regulation 28): flashings; gutters and downspouts; shower pans; termite shields.)
10. *Sheet, flat galvanized steel, 23 gauge or lighter. (A person authorized to use an HH rating may use it for this material only if (1) he is going to use it in making any of the following items for the authorized job or units and (2) he has not received other priorities assistance for this purpose from the CPA (under Priorities Regulation 28 or Order M-21): flashings; furnace, pipes, fittings, and duct work; gutters and downspouts; termite shields.)
11. Shingles (asbestos-cement, asphalt, slate, wood).
12. *Stucco mesh (woven or welded wire).

NOTE: Former items 5 through 9, redesignated 6 through 10 respectively, and new item 5 added Dec. 10, 1946.

1. Miscellaneous Building Materials

1. Cabinets, metal, attachable or built-in types for kitchens or bathrooms.
2. Floor coverings (of the following types only: (a) Felt-base; (b) linoleum (up to battleship grade); (c) mastic; (d) asphalt tile; (e) rubber tile).
3. Gutters and downspouts.
4. Insect screen cloth, metal or plastic.
5. Lead, caulking.
6. Paints, house, exterior—ready mixed, paste, semi-paste, and lead-in-oil. This is limited to primers, under-coats, finish coats, and stucco and cement paints only. It does not include such paints as trim colors, porch and deck paints and exterior enamels. This is also limited to lead-in-oil in 12½-lb. and larger containers and to the other paints in 1-gal. and larger containers.
7. Weatherstripping, metal.

NOTE: Former item 6a redesignated 6, and former item 6 deleted Dec. 10, 1946.

(c) *Use of HH and HHH ratings.* The general rules for applying HH ratings are set forth below, together with certain provisions concerning the use of these ratings by builders. These rules apply to the use of HHH ratings except when otherwise provided by Direction 11 to Priorities Regulation 33 or other applicable regulations. Except as specifically provided elsewhere, these rules also apply to the use of HH ratings by prefabricators and trailer manufacturers. Additional rules applicable to HHH ratings and other related priorities assistance are set forth in Direction 11 to Priorities Regulation 33.

(1) *Kinds and quantities of materials.* The HH rating may be used only to get materials of the kinds listed in paragraph (b) of this schedule. The HH rating may not be used to get more than the minimum quantities of those materials needed to complete the housing accommodations for which the rating was assigned, in accordance with the description given in the application as approved. In some cases applicants may be limited to specific quantities of particular materials. In such cases the HH rating may not be used to get more than the specific quantities approved. The HH rating may not be applied to purchase orders for greater quantities of materials than the applicant is authorized to get. Persons authorized to use the HH rating may not place duplicate orders totalling more than the authorized minimum quantities, even though they plan to cancel one of the orders later.

(2) *Restriction on time of delivery.* A person placing an HH rated order must not specify delivery dates on purchase orders for rated materials more than 30 days before the time they are to be incorporated in the project. This provision applies to materials ordered with an HH rating, instead of the usual rule in Priorities Regulation 32. Furthermore, he must not place rated purchase orders for materials in which delivery is specified later than during the third full calendar month after the calendar month during which the purchase order is placed.

No. 241—2

(3) *Expiration of rating.* The right to use the HH rating for a project expires 90 days after the issuance of the rating, unless the builder has begun construction on the project by physically incorporating at the site of the project materials which will be an integral part of the construction. If the builder has not begun construction within this time, he must unrate all orders for materials for the project to which he has applied the HH rating. If the application covers a number of different buildings, the right to use the rating for materials going into any individual building expires unless that particular building has been started within the 90 day period. However, he may apply by letter in triplicate to the agency which granted his application for an extension of the starting date, showing why he was unable to begin construction in accordance with his original application and giving his revised starting date. If the request for an extension is approved, he need not unrate his orders but he must postpone the delivery dates so as to comply with paragraph (c) (2) of this schedule. The provisions of this paragraph (c) (3) do not apply to prefabricators and house trailer manufacturers, since their authorizations are granted on a calendar-quarter basis.

(4) *Use of rating.* The applicant must not use an HH rating or give others the right to use it before his application has been approved. After approval, the HH rating may be used to get materials by the applicant or by contractors or subcontractors doing all or any part of the construction work for the applicant. Applicants, contractors and sub-contractors using the rating and their officers and agents must comply with all applicable provisions of this and other pertinent regulations. The applicant may authorize contractors and sub-contractors, and contractors may authorize sub-contractors, to use the rating assigned to the applicant, by using a certificate in substantially the following form:

VETERANS' EMERGENCY HOUSING PROGRAM

Application Serial Number.....

You are hereby authorized to use the HH rating to obtain material of the kinds listed on Schedule A to Civilian Production Administration Priorities Regulation 33 which are required for the housing accommodations located at _____ (give location). Your use of this rating is subject to the provisions of applicable regulations.

Authorized user of rating

A contractor to whom an HH rating has been assigned by the Army or the Navy for military housing may authorize his subcontractors, to use that rating, by using the certificate as set out above in this paragraph but without the caption "Veterans' Emergency Housing Program" and the "Application Serial Number."

(5) *Certificates.* The HH rating may be applied to a purchase order by a person authorized to use the rating only by placing on the order the certificate specified for him below (the certificates set out in Priorities Regulations 3 and 7 may not be used):

NOTE: Subparagraphs (i), (ii) and (iii) deleted Dec. 10, 1946.

VETERANS' EMERGENCY HOUSING PROGRAM*

Application Serial Number.....*

I certify to the U. S. Government that an HH rating has been assigned for the materials covered by this order. The materials will be used only for housing accommodations, as authorized. The housing accommodations are at.....**

(Give location.)

Purchaser.

Purchase orders already placed with the certificates previously specified in this Schedule or in Directions 8 and 13 to PR 33 need not be re-certified. Printed and other prepared forms of those previous certificates may continue to be employed until they are used up.

(d) *Violations.* Any person who wilfully violates any provision of any rule, regulation or order of the Civilian Production Administration dealing with the priorities assistance and allocations established by this schedule, or who, by any statement or omission, wilfully falsifies any records which he is required to keep, or who otherwise wilfully furnished false or misleading information to the Civilian Production Administration and any person who obtains a delivery or an allocation of materials or facilities or a preference rating by means of a material and wilfully false or misleading statement, may be prohibited by the Civilian Production Administration from making or obtaining further deliveries of materials and facilities of the kinds listed in paragraph (b) of this schedule and may be deprived of further priorities assistance. The Civilian Production Administration may also take any other action deemed appropriate, including the making of a recommendation for prosecution under section 35 (A) of the Criminal Code, under the Second War Powers Act or under the Veterans' Emergency Housing Act of 1946.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21480; Filed, Dec. 10, 1946;
4:33 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1036]

JAMES WONG AND THEODORE DETAMORE

James Wong, and Fung Wong, his wife, reside and conduct a laundry establishment at 15 Poplar Street, Cambridge,

*Contractors using HH rating assigned by the Army or Navy should substitute the following caption, without an application serial number: "MILITARY HOUSING."

**Prefabricators and house trailer manufacturers need not include statement about location.

Maryland, and are the owners of the property at 9-11 Poplar Street, in the same town. Theodore Detamore is a builder and contractor, and resides at 408 Dorchester Avenue, Cambridge, Maryland. On or about May 10, 1946, James Wong and Theodore Detamore began the construction of a two-story addition and alteration to a commercial building at 9-11 Poplar Street, Cambridge, Maryland, at an estimated cost of \$2,800, without authorization from the Civilian Production Administration. The carrying on of this construction, after being informed of the restrictions of Veterans' Housing Program Order 1, constituted a wilful violation of that order. There was no evidence connecting Fung Wong with the transaction. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1036 *Suspension Order No. S-1036.* (a) The temporary suspension order issued by telegram, dated October 21, 1946, against James and Fung Wong, and Theodore Detamore, is hereby revoked.

(b) Neither James Wong or Theodore Detamore, their successors or assigns, nor any other person shall do any further construction on the premises located at 9-11 Poplar Street, Cambridge, Md., including completing, putting up or the alteration of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(c) James Wong and Theodore Detamore shall refer to this order in any application or appeal which they may file with the Civilian Production Administration for priorities assistance, or for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve James Wong or Theodore Detamore, their successors or assigns from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21477; Filed, Dec. 10, 1946;
4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1037]

JOHN TOOMEY AND WARREN KRILL

John Toomey, 6442 Kennedy Avenue, Hammond, Indiana, as owner, and Warren Krill, 4344 Magoon Avenue, East Chicago, Indiana, as contractor, began construction on September 22, 1946, on the premises at 6442 Kennedy Avenue, Hammond, Indiana, of a structure to be used principally for the operation of a tavern and also for dwelling accommodation at an estimated cost of more than \$5,000 without having received authoriza-

tion therefor in violation of Veterans' Housing Program Order 1. John Toomey and Warren Krill had knowledge of the restrictions and their beginning of construction on said premises constituted a wilful violation of said Veterans' Housing Program Order No. 1. These acts have diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1037 *Suspension Order No. S-1037.* (a) The temporary suspension order issued against John Toomey and Warren Krill is hereby revoked.

(b) Neither John Toomey or Warren Krill, their successors or assigns, nor any other person shall do any further construction on the premises located at 6442 Kennedy Avenue, Hammond, Indiana, including the putting up, completing or altering of any of the structures located on the premises, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(c) John Toomey and Warren Krill shall refer to this order in any application or appeal which they may file for authorization to carry on construction or for priorities assistance.

(d) Nothing contained in the order hereby recommended shall be deemed to relieve John Toomey and Warren Krill, their successors or assigns, from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21476; Filed, Dec. 10, 1946;
4:31 p. m.]

PART 1010—SUSPENSION ORDERS

[Suspension Order S-1039]

MRS. GERTRUDE C. HILL

Mrs. Gertrude C. Hill resides at 229 North Fifth Street, Reading, Pennsylvania, and is the owner of the premises located at 716-718 Penn Street, Reading, Pennsylvania. Subsequent to March 26, 1946, without authorization from the Civilian Production Administration, Mrs. Gertrude C. Hill began the construction of a one-story commercial building approximately 30 feet x 100 feet, at 716-718 Penn Street, Reading, Pennsylvania, at an estimated cost of \$25,000, which amount exceeded the small job exemption permitted by the Veterans' Housing Program Order No. 1 for such construction. The beginning and carrying on of this construction, without authorization from the Civilian Production Administration, constituted a violation of Veterans' Housing Order No. 1. This violation has diverted critical materials to uses not authorized by the Civilian Production Administration. In view of the foregoing, it is hereby ordered that:

§ 1010.1039 *Suspension Order No. S-1039.* (a) The temporary suspension

order issued by telegram, dated September 26, 1946, against Mrs. Gertrude C. Hill is hereby revoked.

(b) Neither Mrs. Gertrude C. Hill, her successors or assigns, nor any other person shall do any construction on the premises located at 716-718 Penn Street, Reading, Pennsylvania, including completing, putting up or altering of any structure located thereon, unless hereafter specifically authorized in writing by the Civilian Production Administration.

(c) Mrs. Gertrude C. Hill shall refer to this order in any application or appeal which she may file with the Civilian Production Administration for priorities assistance or for authorization to carry on construction.

(d) Nothing contained in this order shall be deemed to relieve Mrs. Gertrude C. Hill, her successors, or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21475; Filed, Dec. 10, 1946;
4:31 p. m.]

Chapter XI—Office of Price Administrator

PART 1305—ADMINISTRATION

[Rev. Gen. RO 18, Corr. to Amdt. 3]

DISTRIBUTION OF BASES TO CERTAIN FORMER MEMBERS OF THE ARMED FORCES

Amendment No. 3 to Revised General Ration Order 18 is corrected as follows:

The references to paragraph (d) are corrected to read (e).

Issued this 11th day of December 1946.

MAX McCULLOUGH,
Acting Administrator.

[F. R. Doc. 46-21555; Filed, Dec. 11, 1946;
11:20 a. m.]

PART 1407—RATIONING OF FOOD AND FOOD PRODUCTS

[3d Rev. RO 3, Corr. to Amdt. 30]

SUGAR

Items 13, 19, 20, 27, and 26 in Amendment No. 30 to Third Revised Ration Order 3 are corrected as follows:

13. The reference to "Form F-194" is corrected to read "Form R-194".

19. The reference to section 13.7 (d) is corrected to read 13.11 (d).

20. The reference to section 13.5 is corrected to read 13.15.

27. The reference to section 19.12 (c) (2) (ii) is corrected to read 19.2 (c) (2) (ii).

¹ 11 F. R. 7580, 10215.

² 11 F. R. 116.

36. The reference to section 24.1 (c) (10) is corrected to read 25.1 (c) (10).

Issued this 11th day of December 1946.

MAX McCULLOUGH,
Acting Administrator.

[F. R. Doc. 46-21556; Filed, Dec. 11, 1946;
11:20 a. m.]

Chapter XXIII—War Assets Administration

[Reg. 2]

PART 8302—DISPOSAL OF SURPLUS PERSONAL PROPERTY TO PRIORITY CLAIMANTS

War Assets Administration Regulation 2, August 19, 1946, as amended through September 19, 1946 (11 F. R. 10035, 11136), entitled "Disposal of Surplus Personal Property to Priority Claimants", is hereby revised and amended as herein set forth. New matter is indicated by underscoring. Order 2, June 7, 1946 (11 F. R. 6455), Order 3, December 15, 1945 (10 F. R. 15217), Order 4, January 10, 1946 (11 F. R. 637), Order 5, March 21, 1946 (11 F. R. 3301), Order 6, July 13, 1946 (11 F. R. 7774), and Order 7, August 14, 1946 (11 F. R. 9036), under this part shall continue in full force and effect.

Sec.

- 8302.1 Definitions.
- 8302.2 Scope.
- 8302.3 Applicability of regulations and directives of other agencies, and disposals which may be exempted from this part.
- 8302.4 Set-asides for veterans.
- 8302.5 Order of priorities.
- 8302.6 Reservations for priority claimants.
- 8302.7 Information about available property.
- 8302.8 Issuance of certificates to veterans.
- 8302.9 Transfers and disposals to priority claimants.
- 8302.10 Transfers of surplus standard administrative and maintenance property to the Treasury Department, and acquisition of such property by Government agencies.
- 8302.11 Fair value.
- 8302.12 Acquisition by priority claimants without exercising priority.
- 8302.13 Records and reports.
- 8302.14 Regulations by disposal agencies to be reported to War Assets Administrator.
- Exhibit A Property to be set aside for veterans.

AUTHORITY: §§ 8302.1 to 8302.14, inclusive, issued under Surplus Property Act of 1944, as amended (58 Stat. 765, as amended; 50 U. S. C. App. Sup. 1611); Public Law 181, 79th Cong. (59 Stat. 533; 50 U. S. C. App. Sup. 1614a, 1614b); and Executive Order 9689 (11 F. R. 1265).

§ 8302.1 *Definitions*—(a) *Terms defined in act.* Terms not defined in paragraph (b) of this section which are defined in the Surplus Property Act of 1944 shall in this part have the meaning given to them in the act.

(b) *Other terms.* (1) [Deleted Aug. 19, 1946.]

(2) "Standard administrative and maintenance property" means all property from time to time listed in stock catalogues issued by the Procurement

Division of the Treasury Department. These catalogues normally include, among other items, office supplies, furniture and equipment, and maintenance operating supplies.

(3) "State and local governments" means any State, territory, or possession of the United States, the District of Columbia, and any political subdivision or instrumentality thereof.

(4) "Own" business or professional or agricultural enterprise of a veteran means one of which more than fifty (50) per cent of the invested capital thereof is beneficially, and not merely nominally or formally, owned by a veteran or veterans, or one of which more than fifty (50) per cent of the net income thereof is beneficially, and not merely nominally or formally, accrues to a veteran or veterans. A veteran may be deemed to have his "own business or professional or agricultural enterprise" for the purpose of acquiring particular tools or equipment when he is engaged by others as an employee or agent and is required by his employment to have his own tools or equipment.

(5) "Small business" when used here-in means a veteran's own small business and may include any commercial or industrial enterprise or group of enterprises under common ownership or control, which does not at the date of purchase of surplus property hereunder have more than five hundred (500) employees, or any such enterprise which by reason of its relative size and position in its industry is determined by War Assets Administration to be a small business. The War Assets Administration may in its discretion apply either or both criteria in determining whether or not the veteran's business is a small business.

(6) "Veteran" means any person in the active military or naval service of the United States during the present war, or any person who served in the active military or naval service of the United States on or after September 16, 1940, and prior to the termination of the present war, and who has been discharged or released therefrom under honorable conditions. Veterans "released" from military or naval service shall include persons on terminal leave or final furlough and those whose status has been changed from "active" to "inactive".

§ 8302.2 *Scope.* This part shall apply only to disposals made by disposal agencies within the continental United States, its territories or possessions; *Provided*, That § 8302.10 shall apply only within the continental United States. This part shall not apply to any disposals of real property; nor to personal property appurtenant to, or assigned for disposal in connection with, real property, and disposed of pursuant to Parts 8305,¹ 8310,² 8316,³ or 8320.⁴

¹ Reg. 5 (11 F. R. 12717).

² Reg. 10 (11 F. R. 12017).

³ Reg. 16 (11 F. R. 7427, 8361).

⁴ SPA Reg. 20 (11 F. R. 182, 561, 3302, 7431).

§ 8302.3 *Applicability of regulations and directives of other agencies, and disposals which may be exempted from this part.* (a) Transfers to the National Housing Administrator pursuant to the provisions of section 502 (b) of the Lanham Act,⁵ as amended, (Public Law 292, 79th Congress, as amended) may be made without regard for any provisions of this part. Transfers to the Federal Works Administrator pursuant to the provisions of section 504 (a) of the Lanham Act, as amended, (Public Law 697, 79th Congress) may be made without regard for any provisions of this part except those provisions which govern set-asides for veterans and priorities of Government agencies and veterans.

(b) Except for disposals under paragraph (a) of this section, disposals made hereunder shall be subject to applicable regulations and directives issued under the authority of the Veterans' Emergency Housing Act of 1946, or under the authority of any law referred to in section 34 (b) of the Surplus Property Act of 1944 including those issued by the War Production Board, the Civilian Production Administration, the Office of Price Administration, and the Secretary of Agriculture, and shall be exempted from the provisions of this part to the extent necessary to comply with the provisions of such regulations and directives.

(c) Subject to the provisions of paragraphs (a) and (b) of this section, disposal agencies may dispose of surplus property at a fair and reasonable price without regard for any provisions of this part:

(1) Until peace is concluded to supply the needs of the armed forces;

(2) When, upon a finding by the Secretary of Agriculture that farm production is impaired or threatened to be impaired, the Administrator shall, pursuant to the provisions of Part 8303,⁶ direct the disposal of trucks, machinery, or equipment (including farm supplies) to farmers or farmers' cooperatives;

(3) When the property is of such nature or in such situation that its immediate disposal is necessary to prevent its deterioration, spoilage, or serious loss or damage;

(4) When, upon application to the War Assets Administrator by a disposal agency, the Administrator shall find that it is impracticable or uneconomical for the disposal agency to be required to dispose of designated property according to the provisions of this part;

(5) When the nature or condition of any surplus property sold is such that it is not usable or safe for use by the consumer in its existing form without processing, reprocessing, reconditioning, or repackaging;

(6) When the cost (estimated if not known) of all substantially similar items of such property in the possession of the disposal agency at any one location at any one time does not exceed \$300; or when the cost (estimated if not known) of any group of identical items,

⁵ 59 Stat. 674; 42 U. S. C. Sup. V. 1572.

⁶ Reg. 3 (11 F. R. 11136).

normally constituting a single entry on War Assets Administration Form 1001 and in the possession of the disposal agency at any one location at any one time, does not exceed \$100.

§ 8302.4 Set-asides for veterans. (a) Except as to the amounts of any property necessary for the temporary use of any disposal agency to carry out its responsibilities in disposing of surplus property under the Surplus Property Act of 1944, each disposal agency to which there is assigned for disposal any property of the types set forth in Exhibit A shall set aside all, or such percentage as is designated in Exhibit A, of such property in its possession for exclusive disposal to veterans for their own personal use, or to enable them to establish or maintain their own small business, professional, or agricultural enterprises. Such property shall be held for disposal at fair value, as provided in § 8302.11, to veterans holding certificates issued pursuant to § 8302.8 for a period of not less than fifteen (15) days after public notice of its availability for such disposal, or for such longer period as the Administrator may direct, and any balance remaining undisposed of thereafter may be made available for disposal in accordance with the other provisions of this part.

(b) In disposing of property to veterans under this section disposal agencies may establish the maximum and minimum quantities which may be acquired by any one veteran at any one time during a given period of time. When the supply of any type of surplus property offered at any time will be insufficient to fill the orders of the eligible veterans, equitable distribution among such veterans may be accomplished (1) in accordance with the date of a certification or registration, or (2) on such other basis as shall be approved upon special application to the Administrator; *Provided*, That in any method adopted there shall be equitable distribution between veterans desiring to acquire property for their own personal use and veterans desiring to acquire it for business, professional, or agricultural use. In giving public notice of availability of any property disposal agencies shall specify the method by which distribution of such property will be made among veterans.

§ 8302.5 Order of priorities. Except as to property disposed of under § 8302.4, disposal agencies shall, subject to the provisions of § 8302.6, observe the following order of priorities:

(a) Transfers to Government agencies for their own use shall be given priority over disposals to all others.

(b) Disposals to veterans holding certificates to acquire property to enable them to establish and maintain their own small business, professional, or agricultural enterprises shall be given priority over disposals to all others except as provided in paragraph (a) of this section.

(c) Purchases by Reconstruction Finance Corporation, as successor to Smaller War Plants Corporation, for resale under section 18 (e) of the Surplus Property Act of 1944 shall be given priority over disposals to all others except as

provided in paragraphs (a) and (b) of this section.

(d) Disposals to State and local governments for their own use shall be given priority over disposals to all others except as provided in paragraphs (a), (b), and (c) of this section.

§ 8302.6 Reservations for priority claimants. (a) In giving effect to the provisions of § 8302.5, disposal agencies shall observe the following requirements with respect to the periods of time during which property will be offered to priority claimants:

(1) Government agencies shall in no case be given a period in excess of twenty days after the date of public notice of availability of the property.

(2) Property offered to veterans may not be disposed of to others for a minimum period of fifteen (15) days after the date of public notice to veterans.

(b) Each disposal agency, based upon experience and demonstrated demand, may estimate the quantity of each item of surplus property which it is necessary to hold in reserve in order to provide an adequate supply thereof to satisfy the probable needs of priority claimants for such item. Such quantities shall be reviewed and adjusted periodically by the disposal agency in the light of the changing requirements of priority claimants and the areas in which such requirements exist. There need be no earmarking of specific property, but the quantities of surplus property so estimated shall be reserved for exclusive disposal to priority claimants subject to the periods specified in paragraph (a). Any property in excess of such reserved quantities may, notwithstanding the provisions of paragraph (a), be disposed of promptly to others.

(c) In order to assist the disposal agencies to reserve quantities of surplus property, pursuant to the provisions of paragraph (b), adequate to satisfy the needs of priority claimants including Reconstruction Finance Corporation as successor to Smaller War Plants Corporation for resale under Section 18 (e) of the Surplus Property Act of 1944, Reconstruction Finance Corporation may advise the disposal agencies from time to time of the quantities and kinds of surplus property which it needs or may need for such purposes to the end that any reservations established under paragraph (b) of this section may be adequate to supply such anticipated needs.

§ 8302.7 Information about available property—(a) Availability of records of surplus property; Government requirements officers. Disposal agencies shall establish procedures to insure that designated representatives or procurement officers of Government agencies and State and local governments shall have access to the information on the property records of the disposal agencies, and shall upon request from time to time inform such representatives or procurement officers about surplus property for which declarations have been received or are anticipated. Each disposal agency shall appoint in its central office and in each regional office thereof a Government requirements officer or officers, whose

duties shall include (1) transmitting to Government agencies and State and local governments information concerning surplus property which is or may become available for disposal; (2) assisting in programming sales or offerings in such a manner as to afford Government agencies and State and local governments an opportunity to purchase any and all kinds of property they desire; (3) ascertaining the probable needs for all kinds of property of Government agencies and State and local governments within the region served by each regional office to the end that any reservations established under § 8302.6 (b) may be adequate to supply the probable needs of Government agencies and State and local governments within the region served by the office; (4) cooperating with such advisory committees as the Administrator may appoint; and (5) taking all other necessary or desirable steps to see that all requirements of this part are complied with. It shall be the responsibility of Government agencies, in order to avoid making purchases through commercial channels, continuously to consult the records of the disposal agencies and to determine whether their requirements for all items of property can be satisfied out of surplus property in the hands of the disposal agencies.

(b) *Notice of offering.* Disposal agencies shall give uniform and wide public notice of all offerings to priority claimants and to the extent feasible shall adopt other procedures which will allow priority claimants to receive notice of what surplus property is available or offered for sale within the area in which the offering is made. Government agencies and State and local governments shall also have the right upon request to be put on mailing lists for notices in all cases where such lists are used to offer property for disposal, including mailing lists otherwise reserved to special classes of buyers, unless the disposal agency shall find that the giving of such notices to Government agencies and State and local governments shall for any particular type of property become impracticable, unduly expensive to the Government, or unreasonably burdensome on the facilities of the disposal agency. When paid advertising is used as the method of offering, no other notice need be given to priority claimants. Public notice to Government agencies may be omitted if actual notice by mail is given to all of them.

§ 8302.8 Issuance of certificates to veterans. (a) A veteran desiring to acquire property set aside under § 8302.4 or to exercise his priority under § 8302.5 shall apply to any certifying office of War Assets Administration and shall furnish the Administration with complete information regarding the property desired. War Assets Administration will satisfy itself through reference to the applicant's discharge papers or to other satisfactory evidence that the applicant is a veteran. It shall also satisfy itself that the property applied for is to enable

the veteran to establish or maintain his own small business, professional, or agricultural enterprise, or in the case of property set aside under § 8302.4 that it is for the veteran's own personal use or for his own small business, professional, or agricultural enterprise. The War Assets Administration shall require of the applicant a supporting statement or affidavit. War Assets Administration will issue an appropriate certificate to such veteran stating that he is a veteran entitled to purchase the types and quantities of the property described therein. No person shall be certified as a veteran for property to be used in more than one small business, professional or agricultural enterprise, but a veteran may be certified for property set aside under § 8302.4 for his own personal use and may also be certified for other property for business, professional, or agricultural use.

(b) Whenever a disposal agency within the continental United States other than War Assets Administration receives an application from a veteran desiring to acquire property hereunder but not accompanied by a certificate, the application shall be referred to War Assets Administration for certification, together with full information regarding the availability of the property and the price, terms, and conditions of sale.

(c) In the territories and possessions where no office of War Assets Administration is established for the certification of veterans, they may act hereunder by dealing directly with the appropriate disposal agency, and in such case such disposal agency shall to the extent feasible perform the functions which would be performed by the War Assets Administration in the continental United States under this section.

(d) Each veteran shall present the certificate when acquiring property from a disposal agency, which shall rely upon the certificate that the holder is a veteran entitled to acquire the property described therein in accordance with the terms of the certificate. Veterans shall be entitled to acquire the quantity of property for which they are certified, subject to such equitable distribution among veterans as may be adopted by the disposal agency pursuant to the provisions of § 8302.4(b) or § 8302.9(c), before such property may be made available to lower priority or non-priority claimants. Special effort shall be made to insure that property available to veterans may be inspected by them. Surplus property may be offered for sale to veterans on credit on terms and conditions established by the disposal agencies.

§ 8302.9 *Transfers and disposals to priority claimants.* (a) Subject to the provisions of § 8302.10 in the case of Government agencies, disposal agencies shall transfer or dispose of surplus property to a priority claimant in quantities not smaller than the smallest lot consistent with commercial practice and at the fair

value of such property as provided in § 8302.11. Disposal agencies shall make such transfers of surplus property to a Government agency without reimbursement or transfer of funds whenever a transfer on such terms by the owning agency by which such property was declared surplus would be authorized by any law approved subsequent to June 21, 1944 to be made to the agency desiring such property. The agency desiring such property without reimbursement or transfer of funds shall pay all transportation charges but not the cost of packing and shall furnish when necessary a Government bill of lading bearing identification of the appropriation against which such transportation charges are to be charged.

(b) Except in the case of transfers to Reconstruction Finance Corporation as successor to Smaller War Plants Corporation for resale under section 18 (e) of the Surplus Property Act of 1944, and disposals to veterans of property to be resold with or without processing or fabrication in the regular course of business, transfers or disposals to priority claimants shall be for their own use only and not for transfer or disposition by them to others, and disposal agencies shall require priority claimants so to certify. Title to property being acquired by priority pursuant to the provisions of this part shall not be transferred by the disposal agency to any person other than the acquiring priority claimant, except in the case of purchases by Reconstruction Finance Corporation under section 18 (e) of the Surplus Property Act of 1944, and except in the case of purchases by veterans, who may take title either in their own names or in the names of their own business or professional or agricultural enterprises as defined in § 8302.1 (b) (4). The priorities granted pursuant to the provisions of this part may not be assigned or transferred to others. The provisions of this paragraph (b) shall not apply to the exercise of any authority under the Veterans Emergency Housing Act of 1946,¹ or under the Second War Powers Act of 1942² directing disposals to a specified class of purchasers or to specifically named purchasers.

(c) The maximum quantity which should be offered by the disposal agency to any one priority claimant should, to the extent feasible, be a quantity which will assure wide distribution of the available property. Such maximum quantities shall be established in all cases where it reasonably may be expected that the total demand from claimants in a given priority class will exceed the

supply offered to them. Maximum quantities shall not be established in a manner which will prevent claimants in a higher priority class from satisfying their legitimate requirements, in order to offer a portion of the property to claimants in a lower class or to non-priority buyers. No priority claimant shall be denied by reason of location or residence the right to priority during the period of offering to claimants in the same class.

(d) Orders from priority claimants shall be filled from any available surplus property, subject to the provisions of §§ 8302.4, 8302.5 and 8302.6. If no property is available or likely to become available, the disposal agency shall notify the claimant and upon the dispatching of such notification the order shall lapse. Unless the advertising otherwise states, property already advertised for public competitive bids or for sale at auction or for immediate purchase at a fixed time and property specifically selected by a prospective purchaser shall not be considered available. No property shall be offered for disposal to non-priority claimants unless it has first been offered to priority claimants or necessary provision has been made for reservations for priority claimants in accordance with § 8302.6.

§ 8302.10 *Transfers of surplus standard administrative and maintenance property to the Treasury Department and acquisition of such property by Government agencies.* (a) In order to facilitate the transfer of surplus property from one Government agency to other Government agencies for their own use and not for transfer or disposition to others outside the Government, the Treasury Department as the central procurement agency of the Government may acquire from the disposal agencies such quantities of surplus standard administrative and maintenance property as it needs to satisfy the requirements for such property of all Government agencies within the continental United States, other than the War Department, Navy Department, and Veterans Administration, and other than each disposal agency for the types of property for which it is designated as such under Part 8301.³ Government agencies shall cooperate with the Treasury Department in compiling estimates and shall provide the Treasury Department with such information concerning their requirements as it may need in order to promote the fullest utilization of surplus property.

(b) Disposal agencies shall transfer surplus standard administrative and maintenance property to the Treasury Department in accordance with the provisions of § 8302.9 and at a fair value which reflects the estimated expenses to be incurred by the Treasury Department in making distribution to Government agencies, and the Treasury Department

¹ 60 Stat. 207.

² 56 Stat. 176; 50 U. S. C. Sup. IV, App. 631-645a.

³ Reg. 1 (11 F. R. 7990, 10221, 13969).

shall promptly upon such transfer take possession and assume responsibility for the care, handling, and disposition of such property.

(c) It shall be the responsibility of all such Government agencies, in order to avoid making purchases of such property through commercial channels when such property is available from surplus, continuously to consult the stock catalogues issued by the Procurement Division of the Treasury Department.

(d) Except in cases where transfers may be made without reimbursement or transfer of funds, no Government agency other than the War Department, Navy Department, and Veterans' Administration, and other than each disposal agency for the types of property for which it is designated as such under Part 8301, shall within the continental United States acquire by direct transfer from a disposal agency any type of surplus standard administrative or maintenance property which is offered for disposal by the Treasury Department and immediately available for acquisition by such Government agency; *Provided*, That if none of a desired type of property is immediately available for acquisition by a Government agency, such agency may purchase such desired property directly from the disposal agency; and *Provided, further*, That Reconstruction Finance Corporation, as successor to Smaller War Plants Corporation, shall be entitled to acquire any such property from a disposal agency for resale under section 18 (e) of the Surplus Property Act of 1944.

§ 8302.11 Fair value. Disposal agencies shall fix the fair value at which property shall be acquired by priority claimants. Such a fair value shall not be greater than the lowest price which is offered to any trade level at the time of acquisition by the priority claimant, or where the fair value is fixed after examining competitive bids, it shall not be greater than the lowest acceptable bid.

§ 8302.12 Acquisitions by priority claimants without exercising priority. In addition to acquiring property under §§ 8302.5 and 8302.6, Government agencies, except as to standard administrative and maintenance property desired for their own use, and State and local governments shall be entitled to submit offers whenever surplus property is otherwise offered for sale, without regard for the location of the property, but shall not be entitled to priority. Government agencies may under this section acquire any surplus property (including standard administrative and maintenance property) for transfer or disposition to others, including transfers or dispositions to the United Nations Relief and Rehabilitation Administration. Nothing in this part shall prevent veterans from acquiring any property directly from a disposal agency without exercising priority if they are included within the class of buyers to whom the disposal agency is offering such property. Such purchases made by a priority claimant without priority shall be governed by the prices, terms, and con-

ditions of the offering made by the disposal agency and not pursuant to any other provisions of this part.

§ 8302.13 Records and reports. Owning and disposal agencies shall prepare and maintain such records as will show full compliance with the provisions of this part and with the applicable provisions of the act. Reports shall be prepared and filed with the War Assets Administrator in such manner as may be specified by orders issued under this part subject to the approval of the Bureau of the Budget pursuant to the Federal Reports Act of 1942.

§ 8302.14 Regulations by disposal agencies to be reported to the War Assets Administrator. Each disposal agency shall file with the War Assets Administrator copies of all regulations, orders, and instructions of general applicability which it may issue in furtherance of the provisions, or any of them, of this part.

This revision of this part shall become effective November 27, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

NOVEMBER 27, 1946.

NOTE: Table below revised November 27, 1946.

EXHIBIT A—PROPERTY TO BE SET ASIDE FOR VETERANS

(The following items in "O" condition or better shall constitute the veterans' set-aside list.)

MOTOR VEHICLES	
	Commodity code classification
Trucks, amphibian, ¼ ton, 4 x 4.....	90 1001
Carrier, light cargo (the weasel).....	90 1002
Trucks:	
"The Jeep", ¼ ton, 4 x 4.....	90 1003
Carry-all, ½ ton, 4 x 2.....	90 1004
Canopy express, ½ ton, 4 x 2.....	90 1005
Pickup, ½ ton, 4 x 2.....	90 1006
Panel delivery, ½ ton, 4 x 2.....	90 1007
Carry-all, ½ ton, 4 x 4.....	90 1008
Command reconnaissance, ½ ton, 4 x 4.....	90 1009
Emergency repair, ½ ton, 4 x 4.....	90 1010
Panel delivery, ½ ton, 4 x 4.....	90 1011
Pickup, ½ ton, 4 x 4.....	90 1012
Radio, ½ ton, 4 x 4.....	90 1013
Weapons carrier, ½ ton, 4 x 4.....	90 1014
Panel delivery, ¾ ton, 4 x 2.....	90 1015
Pickup, ¾ ton, 4 x 2.....	90 1016
Carry-all, ¾ ton, 4 x 4.....	90 1017
Command, ¾ ton, 4 x 4.....	90 1018
Emergency repair, ¾ ton, 4 x 4.....	90 1019
Light maintenance and installation, ¾ ton, 4 x 4.....	90 1020
Weapons carrier, ¾ ton, 4 x 4.....	90 1021
Canopy express, 1 ton, 4 x 2.....	90 1022
Pickup, 1 ton, 4 x 2.....	90 1023
Combination stake and platform, 1½ ton, 4 x 2.....	90 1024
Cargo, 1½ ton, 4 x 2.....	90 1025
Canopy express, 1½ ton, 4 x 2.....	90 1026
Dump, 1½ ton, 4 x 2.....	90 1027
Panel delivery, 1½ ton, 4 x 2.....	90 1028
Pickup, 1½ ton, 4 x 2.....	90 1029
Bomb service, 1½ ton, 4 x 4.....	90 1031
Cargo, 1½ ton, 4 x 4.....	90 1032
Combination stake and platform, 15 ft., 1½ ton, 4 x 4.....	50 1033
Combination stake and platform, c. o. e., 1½ ton, 4 x 4.....	90 1034
Dump, 1½ ton, 4 x 4.....	90 1035

MOTOR VEHICLES—continued

Trucks—Continued	
	Commodity code classification
Panel delivery, 1½ ton, 4 x 4.....	90 1036
Panel delivery, 1½ ton, 4 x 4 (K-51).....	90 1037
Ordnance maintenance, 1½-3 ton, 4 x 4.....	90 1038
Cargo, 2½ ton, 4 x 2.....	90 1039
Combination stake & platform, 2½ ton, 4 x 2.....	90 1040
Dump, 2½ ton, 4 x 2.....	90 1041
Cargo, 2½ ton, 6 x 4.....	90 1042
Searchlight, c. o. e., 2½ ton, 6 x 4.....	90 1043
Tractor, 1½ ton, 4 x 2.....	90 1044
Tractor, 1½ ton, 4 x 4.....	90 1045
Tractor, 2½ ton, 4 x 2.....	90 1046
Tractor, c. o. e., 2½ ton, 4 x 4.....	90 1047
Tractor, 2½ ton, 6 x 4.....	90 1048

NOTE: Trucks, tractor, Code Numbers 90 1044 through 90 1048 include trucks which are cab and chassis units.

Buses:

Sedan, converted, 15-passenger, 4 x 2.....	90 1075
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Car:

Passenger, light, all body types, 4 x 2, includes Crosley, Bantam and others.....	90 1079
Passenger, medium and heavy, all body types, 4 x 2.....	90 1080
Station Wagon, including auxiliary ambulance station wagon, 4 x 2.....	90 1081
Motorcycle, all types, 2 x 1 and 3 x 1.....	90 1085
Scoter, motor, with or without package carrier, all types.....	90 1086

Motors:

Fractional horsepower motors: all fractional h. p. alternating and direct current motors except aircraft type.....	90 3130
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MEDICAL AND DENTAL EQUIPMENT AND INSTRUMENTS

Medical equipment:	
Electro-cardiographs.....	90 5103
Basal metabolic.....	90 5104
Cystoscope.....	90 5105
X-ray medical equipment and accessories:	
X-ray, field unit, table unit.....	90 5201
X-ray, field mobile unit.....	90 5202
X-ray, generating equipment:	
200 MA generator, plus tilt table.....	90 5203
100 MA generator, plus tilt table.....	90 5204
30 MA mobile unit, office type and field type.....	90 5205
15 MA portable.....	90 5206
Verticle fluoroscope.....	90 5208
Cassette changer.....	90 5209
Large stereoscope.....	90 5210
1 position table for radiography, with Bucky diaphragm.....	90 5211
Physiotherapy equipment:	
Diathermy apparatus, 110-volt, 60-cycle:	
1 conventional circuit.....	90 5304
2 crystal control circuit.....	90 5305
Dental equipment and supplies:	
Cabinet, dental.....	90 5602
Chairs, dental, operating.....	90 5603
Unit, operating dental:	
110-volt, 25-cycle.....	90 5642
110-volt, 60-cycle.....	
110-volt, D. C.....	
110-volt, 50-cycle.....	
220-volt, 60-cycle.....	
Machine, X-ray, dental, shock proof 110- to 220-volt, 60-cycle.....	90 5644

*Not less than 10% reserve for veterans set-aside.

OFFICE MACHINES AND APPLIANCES

	Commodity code classification
Typewriters:	
Portable.....	90 6010
Standard.....	90 6020

OFFICE FURNITURE

Office furniture—50% of the inventory items listed below in "O" condition or better shall be offered to veterans.

Desk—"Top" executive, 72" flat top, mahogany, oak, or walnut finish; lock, double pedestal, 4 or 6 legs, 6 or 7 drawers, metal or wood hardware, open or sealed back. (NOTE: The relatively few items are easily distinguished from the regular type desk by the superior hardware, finish and molding, generally has rounded corners and edges, and matched woods)..... 90 6501

Desk—"Top" executive, 66" flat top, mahogany, oak, or walnut finish; lock, double pedestal, 4 or 6 legs, 6 or 7 drawers, metal or wood hardware, open or sealed back. (NOTE: The relatively few items are easily distinguished from the regular type desk by the superior hardware, finish, and molding, generally has rounded corners and edges, and matched woods)..... 90 6502

Desk—Executive or regular, 60" flat top, mahogany, oak or walnut finish, double pedestal, w/o locks, metal or wood drawer handles, 6 or 7 drawers; veneered sides and top; w/o drawer guides; open or sealed back; double or single..... 90 6503

Desk—Executive or regular, under 60", flat top, mahogany, oak, or walnut finish; double or single pedestal, with or without locks; metal or wood drawer handles, 6 or 7 drawers; veneered sides and top; with or without drawer guides; open or sealed back; single..... 90 6504

Desk—Flat top; Victory; approximately 42 x 34", 2-drawer..... 90 6505

Desk—"Top" stenographic, left or right pedestal, 60" or over, mahogany, oak, or walnut finish, metal or wood hardware, open or sealed back. (NOTE: The relatively few items are easily distinguished from the regular type desk by the superior hardware, finish and molding, generally has rounded corners and edges and matched woods)..... 90 6506

Desk—Stenographers' or typewriter desk, 60", mahogany, oak, or walnut finish, typewriter drop center, right or left side; with or without locks; double or single pedestal..... 90 6507

Desk—Stenographers' or typewriter desk, under 60", mahogany, oak, or walnut finish, double pedestal, with or without lock; typewriter drop center, right or left side; double or single pedestal..... 90 6508

Desk—Stenographers', Victory; approximately 42" x 34", 1 drawer, well for typewriter..... 90 6509

Chairs—Office, non-swivel chairs with arms; all types of backs, arms and legs, including "Bank of England" type; any type of finish..... 90 6510

OFFICE FURNITURE—continued

	Commodity code classification
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Office furniture—Continued.

Chairs—Office, w/o arms, non-swivel; all types of backs and legs; any type of finish..... 90 6511

Chairs—Stenographers' posture; any type of stenographers' chairs with mechanism to adjust back for posture; any type of finish..... 90 6512

Chairs—Stenographers' regular, all types of swivel chairs w/o arms, except posture; any type of finish (not including Victory)..... 90 6513

Chairs—Swivel, plain, with arms, full swivel (metal) tilting; back may be padded, including "Bank of England"; all types of finish..... 90 6514

Chairs—Swivel, no tilt, Victory type with wooden mechanism..... 90 6515

Chairs—"Top" executive, upholstered back, seat, non-swivel or full swivel (metal) tilting with upholstered arms..... 90 6516

Filing cabinets, metal or wood, recommended set-aside 50%, Cabinets, file, vertical, letter, legal, or cap size, with or without locks, suspension arms; any type of finish:

- 5-drawer.
- 4-drawer.
- 3-drawer.
- 2-drawer.

Cabinets—file, metal, vertical, letter, legal or cap size, with or without locks, any type of finish..... 90 6521

Cap-size: Inside dimensions: 15½ x 10½ x 26½; with follower block; any type finish.

Letter-size: Inside dimensions: 12¼ x 10½ x 26½; with follower block; any type finish.

Cabinets—file, Victory, wooden, vertical, wood slides for drawers, in place of suspension arms; no locks; any type of finish..... 90 6522

Cabinets—steel (used), filing, insulated, record container; one hour fire resisting; with impact and explosion test..... 90 6523

Cap-size: Inside dimensions: 15½ x 10½ x 26½; with follower block; any type finish.

Letter-size: Inside dimensions: 12¼ x 10½ x 26½; with follower block; any type finish.

Tables—Conferences; 72" or over, with or without drawers; any type of finish..... 90 6531

Tables—Conference; 60"; with or without drawers; any type of finish..... 90 6532

Tables—36", with or without drawers; any type finish..... 90 6533

Tables—Telephone, top approximately 16" x 22"..... 90 6534

Tables—Typewriter, with or without rollers..... 90 6535

[F. R. Doc. 46-21553; Filed, Dec. 11, 1946; 11:17 a. m.]

TITLE 49—TRANSPORTATION AND RAILROADS

Chapter I—Interstate Commerce Commission

[Rev. S. O. 105, Amdt. 2]

PART 95—CAR SERVICE

BACKHAULING COMPANY MATERIAL PROHIBITED

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of December A. D. 1946.

Upon further consideration of the provisions of Revised Service Order No. 105 (11 F. R. 8286), as amended (11 F. R. 9039), and good cause appearing therefor, it is ordered, that:

Section 95.5 *Backhauling company material prohibited* of Revised Service Order No. 105, be, and it is hereby, further amended by substituting the following paragraph (e) for paragraph (e) thereof:

(e) *Expiration date.* This order shall expire at 11:59 p. m., April 30, 1947, unless otherwise modified, changed, suspended, or annulled by order of this Commission.

It is further ordered, that this amendment shall become effective at 12:01 a. m., December 10, 1946; that a copy of this order and direction be served upon all State railroad regulatory bodies, and upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402; 41 Stat. 476, sec. 4; 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21428; Filed, Dec. 11, 1946; 8:48 a. m.]

[S. O. 93, Amdt. 7]

PART 95—CAR SERVICE

GIANT REFRIGERATOR CARS

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of December A. D. 1946.

Upon further consideration of Service Order No. 93 (7 F. R. 8903) as amended, (8 F. R. 13752, 13925; 9 F. R. 2481, 11208; 10 F. R. 15175; 11 F. R. 2189), and good cause appearing therefor, it is ordered, that:

Section 95.301 *Giant type refrigerator cars*, of Service Order No. 93 as amended, be and it is hereby, further amended by suspending the following provisions of paragraph (c) *Cars exempt from order*:

Initial Numbers, inclusive
SFRD..... 5000 to 5144

Tariff provisions suspended. The operation of all tariff rules, regulations, or charges insofar as they conflict with this order is hereby suspended.

Announcement of suspension. Each railroad, or its agent, shall file and post a supplement to each of its tariffs affected hereby, substantially in the form authorized in Rule 9 (k) of the Commission's Tariff Circular No. 20 (§ 141.9 (k) of this chapter) announcing the suspension of the operation of any of the provisions therein, and establishing the substituted provisions set forth.

Effective date. This amendment shall become effective at 12:01 a. m., December 11, 1946.

Expiration date. This amendment shall expire at 12:01 a. m., January 31, 1947, unless otherwise modified, changed, suspended or annulled by order of this Commission.

It is further ordered, that a copy of this amendment and direction shall be served upon the Association of American Railroads, Car Service Division, as agent of the railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order shall be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(40 Stat. 101, sec. 402, 41 Stat. 476, 485; sec. 4, 10; 54 Stat. 901, 912; 49 U. S. C. 1 (10)-(17), 15 (4))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21427; Filed, Dec. 11, 1946; 8:48 a. m.]

[S. O. 624, Amdt. 2]

PART 95—CAR SERVICE

MOVEMENT OF GRAIN TO TERMINAL ELEVATORS BY PERMIT

At a session of the Interstate Commerce Commission, Division 3, held at its office in Washington, D. C., on the 6th day of December A. D. 1946.

Upon further consideration of Service Order No. 624 (11 F. R. 12096), as amended (11 F. R. 13792), and good cause appearing therefor, it is ordered, that:

Section 95.624 *Movement of grain to terminal elevators by permit*, of Service Order No. 624, as amended be, and it is hereby, further amended by substituting the following paragraph (a) for paragraph (a) thereof:

(a) (1) *Movement of grain into port areas restricted.* No common carrier by railroad subject to the Interstate Commerce Act shall accept for transportation, transport, or move any car loaded with export grain waybilled and consigned to any elevator or for direct delivery to a vessel in the port area of Albany, New York, or any Atlantic Seaboard port (Hampton Roads, Va., and north thereof) unless such origin carrier has first obtained a permit from the elevator or the delivering railroad in the

port area authorizing the movement of such grain in carloads into the port area.

(2) *Priority for loading certain grain required.* All common carriers by railroad, subject to the Interstate Commerce Act, serving points where export grain subject to this order is loaded, shall give preference and priority over all other traffic to supplying or placing a box car or cars for loading grain, providing Agent A. S. Johnson certifies in writing that such box car is intended for loading with grain for the foreign relief program.

It is further ordered, that this amendment shall become effective at 12:01 a. m., December 7, 1946; that a copy of this order be served upon the Association of American Railroads, Car Service Division, as agent of all railroads subscribing to the car service and per diem agreement under the terms of that agreement; and that notice of this order be given to the general public by depositing a copy in the office of the Secretary of the Commission at Washington, D. C., and by filing it with the Director, Division of the Federal Register.

(Sec. 402, 40 Stat. 101, sec. 4, 41 Stat. 476, 54 Stat. 901; 49 U. S. C. 1 (10)-(17))

By the Commission, Division 3.

[SEAL]

W. P. BARTEL,
Secretary.

[F. R. Doc. 46-21426; Filed, Dec. 11, 1946; 8:48 a. m.]

Chapter II—Office of Defense Transportation

[Gen. Order ODT 68, Revocation]

PART 500—CONSERVATION OF RAIL EQUIPMENT

RESTRICTIONS ON PASSENGER AND SPECIAL TRAIN SERVICE

Pursuant to Executive Orders 8989, as amended, and 9729; *It is hereby ordered*, That General Order ODT 68, as amended, §§ 500.110 to 500.114, inclusive, (11 F. R. 13640, 14141), be, and it is hereby, revoked effective at 3:30 o'clock p. m., December 7, 1946.

(E. O. 8989, Dec. 18, 1941, E. O. 9389, Oct. 18, 1943, E. O. 9729, May 23, 1946; 6 F. R. 6725, 8 F. R. 14183, 11 F. R. 5641)

Issued at Washington, D. C., this 7th day of December, 1946.

J. M. JOHNSON,
Director,

Office of Defense Transportation.

[F. R. Doc. 46-21437; Filed, Dec. 11, 1946; 8:47 a. m.]

Notices

CIVIL AERONAUTICS BOARD.

[Docket No. 2570]

FAR EASTERN AIR TRANSPORT, INC.

NOTICE OF HEARING

In the matter of the application of Far Eastern Air Transport, Inc. for a foreign air carrier permit under section

402 of the Civil Aeronautics Act of 1938, as amended.

Notice is hereby given pursuant to the Civil Aeronautics Act of 1938, as amended, particularly sections 402 and 1001 of said act, that a hearing in the above-entitled proceeding is assigned to be held on December 18, 1946 at 10 a. m. (eastern standard time) in Room 1508, Commerce Building, 14th Street, between Constitution Avenue and E Street, N. W., Washington, D. C., before Examiner Barron Fredericks.

Dated at Washington, D. C., December 6, 1946.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21434; Filed, Dec. 11, 1946; 8:47 a. m.]

[Docket No. 2603]

AIRLINES NEGOTIATION CONFERENCE AGREEMENT

NOTICE OF HEARING

In the matter of the investigation of Agreements CAB Nos. 738 and 739, filed under section 412 of the Civil Aeronautics Act of 1938, as amended, by and between certain air carriers relating to the establishment and operation of an Airlines Negotiation Agreement.

Notice is hereby given that the above matter is assigned to be heard on December 16, 1946, 10 a. m., eastern standard time, in Conference Room A, Departmental Auditorium, Constitution Avenue between 12th and 14th Sts., N. W., Washington, D. C., before an examiner of the Board.

Dated at Washington, D. C., December 6, 1946.

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21435; Filed, Dec. 11, 1946; 8:47 a. m.]

REPORTS OF OWNERSHIP OF STOCK AND OTHER INTERESTS BY OFFICERS AND DIRECTORS

NOTICE OF PROPOSED REVISION OF REGULATION

Corrected Reprint

The Civil Aeronautics Board proposes to amend § 280.1 of the Economic Regulations issued pursuant to section 407 (c) of the Civil Aeronautics Act of 1938, as amended, which section governs the disclosure of stock ownership by officers or directors of air carriers.

The proposed amendment would provide, in substance, for the elimination of Form ER-1 in use at present for reporting the required information on stock ownership and for the required use of a new form, CAB Form 2786. This form, though not differing greatly in content from ER-1, is believed to achieve greater simplification and to convey in clearer terms the information required by the Board, which, on the whole, would be less than called for at present. It also

relieves the individual reporting from the necessity of improvising his own form and thus accomplishes greater uniformity in the reports.

CAB Form 2786 differs principally from Form ER-1 in the following respects:

Omitted are items d, e, h, k, and l requiring details as to the par value or stated amount of stock; date of issue of bonds, notes or interests other than stock; description of conversion rights if any; date or dates of acquisition; if disposed of, date or dates of disposition.

Consolidated under one columnar heading reading, "Class of security (common, preferred, rights, options, etc.) and description of bonds, notes, or other instruments evidencing interest or ownership" are items f, and g requiring details as to date of maturity of bonds, notes or interests other than stock; and interest rate of bonds, notes or interests other than stocks.

Revised is item j, requiring details as to voting rights of securities if same are subject to a Voting Trust Agreement, to read "Did reporting individual control and/or exercise all voting rights of the items reported under 'B', (Yes-No). (If the answer to any item reported under 'E' is negative state amount of voting rights not controlled or exercised by reporting individual and give the names, addresses and principal business of persons controlling and/or exercising such voting rights.)"

Consideration will be given to written comments on the proposed revision which are received by the Secretary, Civil Aeronautics Board, Washington 25, D. C., not later than December 16, 1946.

Proposed revision of § 280.1 of the Economic Regulations:

§ 280.1 *Reports of ownership of stock and other interests by officers and directors of air carriers.* At the times and in the manner set forth in CAB Form 2786, attached hereto¹ and made a part hereof, each officer and each director of each certificated air carrier shall transmit to the Board a report describing stock and other interests. (52 Stat. 984, 1000, as amended; 49 U. S. C. 425, 487)

By the Civil Aeronautics Board.

[SEAL]

M. C. MULLIGAN,
Secretary.

[F. R. Doc. 46-21311; Filed, Dec. 6, 1946;
8:48 a. m.]

CIVILIAN PRODUCTION ADMINISTRATION.

[C-433]

PRICE BATTERY CORP.

CONSENT ORDER

Price Battery Corporation, a Pennsylvania corporation, with its principal place of business at 942 Grand Street, Hamburg, Pennsylvania, is engaged primarily in the manufacture of storage batteries. The company is charged by the Civilian Production Administration with having used during the first quarter of 1946, 280.3 tons of lead and lead oxide in excess of its quota in the manufac-

¹ Filed as part of the original document.
No. 241—3

ture of SLI automotive type storage batteries, as established by General Preference Order M-38. During the second and third quarters of 1946, the company used 53.9 tons of lead and lead oxide in the manufacture of SLI type storage batteries less than it would have been entitled to under its quota as established by General Preference Order M-38, which amount can be considered as a voluntary pay-back and deducted from the over-use during the first quarter of 1946.

Price Battery Corporation admits the violation as charged, but denied said violation was wilful, and has consented to the issuance of this order.

Wherefore, upon the agreement and consent of the Price Battery Corporation, through its duly authorized official, and upon the approval of the Regional Compliance Manager, the Regional Attorney, and the Compliance Commissioner, *It is hereby ordered, That:*

(a) Price Battery Corporation shall reduce its use of lead and lead oxide in the manufacture of replacement SLI automotive type storage batteries by 113.2 tons in the fourth quarter of 1946 and 113.2 tons in the first quarter of 1947, less than it would otherwise be entitled to use under the provisions of General Preference Order M-38.

(b) Price Battery Corporation shall refer to this order in any application or appeal which it may file with the Civilian Production Administration during the fourth quarter of 1946, and the first quarter of 1947, dealing with its use of lead and lead oxide.

(c) Nothing contained in this order shall be deemed to relieve Price Battery Corporation from any restriction, prohibition or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

(d) The restrictions and prohibitions contained herein shall apply to Price Battery Corporation, its successors or assigns, or persons acting in its behalf. Prohibition against the taking of any action includes the taking indirectly as well as directly of any such action.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21479; Filed, Dec. 10, 1946;
4:32 p. m.]

[C-461]

WILLIAM M. SHRADER AND LEONARD MILLER
CONSENT ORDER

William M. Shrader of Elmore, Ohio, and Leonard Miller of Luckey, Ohio, are charged by the Civilian Production Administration by charging letter dated November 4, 1946, with having begun on or about the first of May 1946 and thereafter carrying on, without authorization of the Civilian Production Administration, construction of a structure on Main Street, Luckey, Ohio, for use as a hardware and farmers' supply store, the estimated cost of which was in excess of

\$1,000, in violation of Civilian Production Administration Order VHP-1. William M. Shrader and Leonard Miller admit the violation as charged, do not desire to contest the charge, and have consented to the issuance of this order.

Wherefore, upon the agreement and consent of William M. Shrader and Leonard Miller, the Regional Compliance Director, and the Regional Attorney, and upon the approval of the Compliance Commissioner, *It is hereby ordered, That:*

(a) Neither William M. Shrader nor Leonard Miller, their successors or assigns, nor any other person shall do any further construction on the structure located on Main Street, Luckey, Ohio, including putting up, completing or altering the structure, unless hereafter specifically authorized by the Civilian Production Administration.

(b) William M. Shrader and Leonard Miller shall refer to this order in any application or appeal which they may file with the Civilian Production Administration or the Federal Housing Administration for authorization to carry on construction.

(c) Nothing contained in this order shall be deemed to relieve William M. Shrader and Leonard Miller, their successors or assigns, from any restriction, prohibition, or provision contained in any other order or regulation of the Civilian Production Administration, except insofar as the same may be inconsistent with the provisions hereof.

Issued this 10th day of December 1946.

CIVILIAN PRODUCTION
ADMINISTRATION,
By J. JOSEPH WHELAN,
Recording Secretary.

[F. R. Doc. 46-21478; Filed, Dec. 10, 1946;
4:31 p. m.]

FEDERAL POWER COMMISSION.

[Docket No. G-769]

CONSOLIDATED GAS UTILITIES CORP.

ORDER FIXING DATE OF HEARING

DECEMBER 6, 1946.

Upon consideration of the application filed on August 22, 1946, by Consolidated Gas Utilities Corporation (Applicant) for a certificate of public convenience and necessity pursuant to section 7 of the Natural Gas Act, as amended, to authorize the construction and operation of the following described facilities:

(a) A field booster station with a rated capacity of 600 horsepower consisting of four 150-horsepower gas engine driven portable compressor units with radiator type water and oil coolers, together with necessary building and appurtenant facilities to be located in the Southwest Quarter of Section 5, Block 27, H. & G. N. Ry. Co. Survey, Wheeler County, Texas;

(b) A 4½-inch natural gas pipe line approximately 5 miles in length, extending in a southeasterly direction from Applicant's existing town border station at Hominy, Osage County, Oklahoma, to a point of connection with the natural

gas transmission pipe line of the Cities Service Gas Company located in Section 10, 22 N., 9 E., Osage County, Oklahoma.

The Commission orders that: (A) A public hearing be held commencing on December 19, 1946, at 9:45 a. m. (e. s. t.), in the Hearing Room of the Federal Power Commission, Hurley-Wright Building, 1800 Pennsylvania Avenue, N.W., Washington, D. C., respecting the matters involved and the issues presented in this proceeding: *Provided, however*, That if no protest or petition to intervene has been filed or allowed prior to the date herein fixed for hearing, or if a protest, or a petition to intervene, in the judgment of the Commission raises no issue of substance, the Commission may dispose of the application without contested hearing, by order upon the application and the evidence filed or available to the Commission and such additional evidence as the Commission may require to be filed for its consideration.

(B) Interested State commissions may participate in this hearing as provided in the Commission's rules of practice and procedure.

Date of issuance: December 6, 1946.

By the Commission.

[SEAL] LEON M. FUQUAY,
Secretary.

[F. R. Doc. 46-21432; Filed, Dec. 11, 1946;
8:49 a. m.]

OFFICE OF PRICE ADMINISTRATION.

[MPR 478, Order 223]

SALKAY HANDBAGS, INC.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register and pursuant to section 10 of Maximum Price Regulation 478; *It is ordered:*

(a) The maximum prices for sales at wholesale to manufacturers made prior to November 10, 1946, by Salkay Handbags, Inc., 19 Waverly Place, New York 3, New York, or by any other reseller of the following coated fabric shall be as follows:

For Sales - Manufacturers

Cherry-Kolo, hand-japanned, pyroxylin coated cotton, fabric purchased from the Patent Fabrics Company; \$0.2675 per sq. foot.

(b) With or prior to the first delivery of the coated fabric covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric to manufacturers, which is the maximum price set forth in paragraph (a) above.

(c) All requests not granted herein are denied.

(d) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(e) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1946.

Issued this 11th day of December 1946.

MAX McCULLOUGH,
Acting Administrator.

Opinion Accompanying Order No. 223 Under Maximum Price Regulation 478

The Salkay Handbags, Inc., 19 Waverly Place, New York 3, New York, applied on June 18, 1946, for authorization of a maximum price for sales of a hand-japanned base coated fabric which it sells as a wholesaler. Although this commodity has been decontrolled under the provisions of Supplementary Order 193, effective November 10, 1946, the issuance of this order is necessary in order to establish a maximum price for sales between the date of the application and November 10, 1946. It appears that this company is unable to use section 9 of Maximum Price Regulation 478, as amended, because section 9 applies only to sales by a wholesaler who purchased from a manufacturer. The maximum price for sales by wholesalers who purchased through other channels must be established under section 10 of Maximum Price Regulation 478.

The applicant is asking for approval of a maximum price for sales of this coated fabric to wholesalers who resell this coated fabric to manufacturers. During March 1942, and for several years prior thereto, a wholesaler of coated fabrics generally sold direct to manufacturers. It was not the usual practice for a wholesaler to sell to another wholesaler who resold to manufacturers. In the few instances of such resales to manufacturers, the wholesaler's sales price to other wholesalers was lower than his sales price to manufacturers, permitting resale by the second wholesaler to manufacturers at the same price at which the first wholesaler would have sold direct to the manufacturers. Therefore, the maximum price for wholesalers who purchase from wholesalers should be the same as that of their supplier for sales to the same class of purchaser. Accordingly, this order establishes the maximum price for sales to manufacturers equally applicable for sales made by wholesalers and any other sellers. Thus, the wholesaler's maximum price for sales to manufacturers will be the same as the applicant's price for sales to the same buyer.

It is desirable that the applicant be required to notify the wholesalers to whom he sells of the maximum prices which apply to sales to manufacturers. This is the most practical way of informing the wholesalers of the price at which he must sell. If such notice is not given many wholesalers may price this coated fabric under section 9 of the regulation with the result that different and higher prices will result for sales of the same commodity.

The maximum price proposed by the applicant has been compared to the maximum prices established by other wholesalers selling similar commodities. The administrator finds that the maximum price proposed is consistent with the level of maximum prices generally

established by the regulation. The Administrator is, therefore, approving a maximum price which is the same as the supplier's maximum price for sales to the same class of purchaser.

In the judgment of the Price Administrator, the maximum price established by this order is consistent with the level of maximum prices otherwise established by Maximum Price Regulation 478, is fair and equitable and effectuates the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9326.

[F. R. Doc. 46-21441; Filed, Dec. 11, 1946;
8:46 a. m.]

[MPR 478, Order 224]

UNITY LEATHER AND TEXTILE CO.

AUTHORIZATION OF MAXIMUM PRICES

For the reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, it is ordered:

(a) *What this order does.* This order establishes the maximum prices for sales in rolls of imitation leather produced by Unity Leather and Textile Company, 114 South Street, Boston 11, Massachusetts, to manufacturers.

(b) *Maximum prices.* The maximum prices for all sales and resales of the following sizes of imitation leather in rolls to manufacturers, produced by Unity Leather and Textile Company, 114 South Street, Boston 11, Massachusetts, and made prior to November 10, 1946, shall be:

Commodity and Maximum Prices for Sales to Manufacturers

Fabricated leather, 48" leather fiber and pulp base, finished to simulate leather, black patent finish, Kalix Mills' 4 oz. dry weight pyroxylin coating, five spread coats and embossed;	Per linear yard
1 iron (or 1 oz.)	\$0.947
1½ iron (or 1½ oz.)	1.257
2 iron (or 2 oz.)	1.567

(c) *Terms.* All prices shall be subject to all discounts, allowances, and trade practices of the seller in effect during March 1942.

(d) *Relation to MPR 478.* All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to commodities sold under this order.

(e) *Notification.* With or prior to the first delivery of any of the commodities priced by this order to any reseller, the seller shall furnish such reseller a written notice setting forth the maximum prices for sales to manufacturers as set forth in paragraph (b).

(f) This order may be revoked or amended by the Price Administrator at any time.

(g) The maximum prices established by this order shall apply to sales made prior to November 10, 1946.

This order shall become effective December 12, 1946.

Issued this 11th day of December 1946.

MAX McCULLOUGH,
Acting Administrator.

*Opinion Accompanying Order No. 224
Under Maximum Price Regulation 478*

The Unity Leather and Textile Company, 114 South Street, Boston 11, Massachusetts, applied on November 5, 1946, for maximum prices for sales of imitation leather in rolls. Although this commodity has been decontrolled under the provisions of Supplementary Order 193, effective November 10, 1946, the issuance of this order is necessary in order to establish a maximum price for sales between the date of the application and November 10, 1946. It appears that this company purchases the base material composed of leather pulp and fiber base and has it coated to produce imitation leather. It further appears that this company is unable to use section 9a of Maximum Price Regulation 478 as that section applies only to sales by converters who sell to cutters, supply jobbers, and retailers. The maximum prices for sales by a converter to any other class of purchaser must be established under section 10 of Maximum Price Regulation 478.

Unity Leather and Textile Company, a converter, proposes to sell this commodity to manufacturers and to wholesalers who will resell to manufacturers. During March 1942, and for several years prior thereto, converters of coated fabrics generally sold direct to manufacturers. It was not the usual practice for a converter to sell to a wholesaler who resold to manufacturers. In the few instances of such resales to manufacturers, the converter's sales price to such wholesalers was lower than his sales price to the manufacturer, permitting resale by the wholesaler to the manufacturer at the same price at which the converter would have sold directly to the manufacturer. This order, therefore, establishes maximum prices for sales by all sellers of this commodity which are the same as the maximum prices for sales directly to manufacturers by the Unity Leather and Textile Company.

It is desirable that the applicant be required to notify the wholesaler to whom he sells of the maximum prices which apply for sales to manufacturers. This is the most practical way of informing the wholesalers of the prices at which they must sell. If such notice is not given, many wholesalers may price these coated fabrics under section 9 of the regulation, which may result in different and higher maximum prices for sales of the same commodity.

The maximum prices proposed by the applicant have been compared with the maximum prices established by other converters under Maximum Price Regulation 478. The Administrator finds that the maximum prices proposed are not consistent with the level of maximum prices generally established by the regulation. This is because one of the items of cost is excessive as compared with those of other converters under the regulation. The maximum prices established by this order, therefore, are consistent with the level of maximum prices generally established by the regulation.

In the judgment of the Price Administrator, the maximum prices established

by this order are consistent with the level of maximum prices otherwise established by Maximum Price Regulation 478, are fair and equitable, and effectuate the purposes of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9326.

[F. R. Doc. 46-21440; Filed, Dec. 11, 1946; 8:46 a. m.]

[MPR 478, Order 225]

MORGY MORGANSTERN CO.

AUTHORIZATION OF MAXIMUM PRICES

For reasons set forth in an opinion issued simultaneously herewith and filed with the Division of the Federal Register, and pursuant to section 10 of Maximum Price Regulation 478, it is ordered:

(a) The maximum prices for sales made prior to November 10, 1946, by converters and wholesalers of the following combined fabric converted by the Morgy Morganstern Company, 76 Franklin Street, New York 13, New York, shall be as follows:

	For sales to—		
	Automotive manufacturers	Supply jobbers	Retailers
Combined fabric (as per sample submitted August 29, 1946.....)	\$3.09	\$2.83	\$3.30

(b) With or prior to the first delivery of the coated fabric covered by this order to a wholesaler, the seller shall notify such person in writing of the specific maximum price applicable to his resale of this coated fabric to manufacturers, supply jobbers, and retailers which is the maximum price set forth in paragraph (a) above.

(c) All provisions of Maximum Price Regulation 478 not inconsistent with this order shall apply to sales covered by this order.

(d) This order may be revoked or amended by the Price Administrator at any time.

This order shall become effective December 12, 1946.

Issued this 11th day of December 1946.

MAX McCULLOUGH,
Acting Administrator.

*Opinion Accompanying Order No. 225
Under Maximum Price Regulation 478*

The Morgy Morganstern Company, 76 Franklin Street, New York 13, New York, applied on August 29, 1946, for authorization of a maximum price for sales of a combined fabric which it sells as a converter. Although this commodity has been decontrolled under the provisions of Supplementary Order 193, effective November 10, 1946, the issuance of this order is necessary in order to establish a maximum price for sales between the date of the application and November 10, 1946. It appears that this company is

unable to use section 9a as that section applies only to sales by converters who sell to cutters, supply jobbers, and retailers. The maximum prices for sales by a converter to any other class of purchaser must be established under section 10 of Maximum Price Regulation 478.

The applicant is asking for approval of a maximum price for sales of this combined fabric to supply jobbers as well as to wholesalers who resell this combined fabric to manufacturers, supply jobbers, and retailers. During March 1942, and for several years prior thereto, a converter of combined fabrics generally sold direct to manufacturers, supply jobbers, and retailers. It was not the usual practice for a converter to sell to a wholesaler who resold to manufacturers, supply jobbers, and retailers. In the few instances of such resales to manufacturers, supply jobbers, and retailers, the converter's sales price to wholesalers were lower than his sales price to manufacturers, supply jobbers, and retailers, permitting resale by the wholesaler to manufacturers, supply jobbers, and retailers at the same price at which the converter would have sold directly to the manufacturers, supply jobbers, and retailers. Therefore, the maximum price for wholesalers who purchase from converters should be the same as that of their supplier for sales to the same class of purchaser. Accordingly, this order establishes the maximum prices for sales to manufacturers, supply jobbers, and retailers equally applicable for sales made by wholesalers and any other sellers. Thus, the wholesaler's maximum prices for sales to manufacturers, supply jobbers, and retailers will be the same as the applicant's prices for sales to the same buyer.

It is desirable that the applicant be required to notify the wholesalers to whom he sells of the maximum prices which apply to sales to manufacturers, supply jobbers, and retailers. This is the most practical way of informing the wholesalers of the price at which he must sell. If such notice is not given many wholesalers may price this combined fabric under section 9 of the regulation which may result in different and higher maximum prices for sales of the same commodity.

The maximum price proposed by the applicant has been compared to maximum prices established by other converters under Maximum Price Regulation 478. The Administrator finds that the proposed maximum price is consistent with the level of maximum prices generally established by the regulation.

In the judgment of the Price Administrator, the maximum prices established by this order are consistent with the level of maximum prices otherwise established by Maximum Price Regulation 478, are fair and equitable and effectuate the purpose of the Emergency Price Control Act of 1942, as amended, and Executive Orders 9250 and 9326.

[F. R. Doc. 46-21439; Filed, Dec. 11, 1946; 8:46 a. m.]

SECURITIES AND EXCHANGE COMMISSION.

[File No. 70-1365]

MICHIGAN CONSOLIDATED GAS CO.

ORDER GRANTING APPLICATION AND PERMITTING DECLARATION TO BECOME EFFECTIVE

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of December, A. D. 1946.

Michigan Consolidated Gas Company ("Michigan Consolidated"), a subsidiary of American Light & Traction Company, a registered holding company and a subsidiary of The United Light and Railways Company, also a registered holding company, having filed an application-declaration pursuant to sections 9, 10, and 12 of the Public Utility Holding Company Act of 1935 and the Rules thereunder, regarding the acquisition by Michigan Consolidated from the various stockholders of West Michigan Consumers Company ("West Michigan") of all of the outstanding capital stock of West Michigan consisting of 4,182 shares of common stock without par value, for the cash price of \$358.68 per share, or an aggregate of \$1,500,000, and the acquisition by Michigan Consolidated of the assets and the assumption of the liabilities of West Michigan incident to the liquidation of West Michigan;

A public hearing having been held after appropriate notice, and the Commission having filed its Findings and Opinion herein:

It is ordered, That said application-declaration be, and the same hereby is, granted and permitted to become effective forthwith, subject to the terms and conditions prescribed in Rule U-24.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21404; Filed, Dec. 11, 1946;
8:49 a. m.]

[File No. 43-160]

COLUMBIA GAS & ELECTRIC CO. AND ATLANTIC SEABOARD CORP.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of December 1946.

Notice is hereby given that a joint declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the act) by Columbia Gas & Electric Corporation ("Columbia"), a registered holding company, and Atlantic Seaboard Corporation ("Seaboard"), Columbia's wholly-owned subsidiary which is also a registered holding company. Such declaration is designated by Columbia as a Supplemental Program to a previous declaration filed pursuant to section 7 of the act and permitted to become effective by this Commission in 1939, as more fully described hereinafter.

Notice is further given that any interested person may, not later than December 16, 1946, at 5:30 p. m., e. s. t., request

the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest, and the issues of fact or law raised by said declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 16, 1946, said declaration as filed, or as amended, may be permitted to become effective and be granted as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transactions as provided in Rules U-20 (c) and U-100 thereof.

All interested persons are referred to said declaration, which is on file in the office of said Commission, for a statement of the transactions therein proposed, which are summarized as follows:

In 1938 Columbia filed a declaration with this Commission pursuant to section 7 of the act requesting approval of the reduction of the stated value of its common stock from \$15.75 to \$1 per share, thereby creating "Special Capital Surplus" of \$182,044,724, which was to be available for various charges, such as adjustments in its investment account, applicable to the period prior to January 1, 1938. By our order dated January 25, 1939, the declaration was permitted to become effective, subject to the conditions, among other things, that (1) no charges be made to "Special Capital Surplus" or "Surplus Prior to January 1, 1938" without giving the Commission thirty days' prior notice; and (2) any part of "Special Capital Surplus" or "Surplus Prior to January 1, 1938" remaining on December 31, 1942, be restored to common capital stock account unless such time be extended by application to and order of this Commission (4 S. E. C. 406 (1939)).

Concurrently with the creation of Special Capital Surplus Columbia wrote down the book value of its investments in subsidiaries \$55,926,020 and made other adjustments in its accounts which, together with the aforesaid write-downs, involved aggregate surplus charges of \$67,844,960. Subsequent to that time, as its subsidiary companies wrote down their property accounts, Columbia made further reductions in its investment account. As a consequence of these and other adjustments, the Special Capital Surplus of Columbia has been reduced \$107,422,868 and the original balance of \$13,261,609 of its Surplus Prior to January 1, 1938 has been exhausted.

The time limitation of December 31, 1942 imposed in our order upon the continued existence of Special Capital Surplus account was subsequently extended from time to time to December 31, 1946 upon Columbia's representation that final adjustments of investments, surplus and capital accounts could not be completed due to the incomplete status of proceedings relating to the restatement of the property accounts of subsidiaries at original cost and the prospective disposition of substantial investments pursuant to this Commission's order under

section 11 (b) (1) dated November 30, 1944 (Holding Company Act Release No. 5455).

Since Special Capital Surplus was created, Columbia's major subsidiaries have restated their property accounts at original cost. According to Columbia, there will remain a maximum of \$5,740,978 of excess of book value of property accounts over original cost, disposition of which is awaiting action by the proper regulatory authorities. It is expected that such disposition will involve surplus charges by subsidiaries aggregating \$5,636,684.

During 1946, Columbia has disposed of its investments in all major subsidiaries found by the Commission to be non-retainable, making an aggregate book profit of \$46,179,545 from such sales, which it credited to "Unclassified Profit or Loss from Sale of Investments in Subsidiaries".

Columbia states that the obstacles to a determination of final adjustments to its accounts which previously existed have now either been removed, or provided for, and accordingly, proposes to make the following adjustments in its accounts:

(1) The balance in all its present surplus accounts and "Unclassified Profit or Loss from Sale of Investments in Subsidiaries" at September 30, 1946, aggregating \$133,723,378, will be reclassified into a new account designated "Capital Surplus".

(2) Columbia and Seaboard will restate their respective investments in their subsidiaries at their adjusted underlying net book worth at September 30, 1946. Such restatement will involve a net write-down in the present carrying value of Columbia's investments of \$11,501,892, of which \$6,624,825 will be charged to Capital Surplus and \$4,427,067 to presently existing Reserve for Investments. The remaining balance of \$1,741,492 in such reserve will then be credited to Capital Surplus, as will \$794,819 of payments to be made by subsidiaries from their surpluses at September 30, 1946.

(3) Additional amounts aggregating \$4,840,056 will be appropriated from Capital Surplus for Reserve for Investments equivalent to that portion of excess of book value over original cost remaining on the books of subsidiaries which will be charged by subsidiaries to their surplus accounts. Seaboard will create similar reserves of \$796,628 for its investment in its subsidiaries by charges to its Special Capital Surplus. Consequently, net investments of Columbia and Seaboard will be stated at the underlying net book worths of their subsidiaries at September 30, 1946, after adjustment of their property accounts to original cost.

(4) Of the \$124,794,809 balance then in Columbia's Capital Surplus, \$110,068,866 will be transferred to common stock capital, thereby making the stated value thereof equivalent to \$10 per share. The remaining \$14,725,943 of Capital Surplus will be available for any appropriate charges applicable to the period prior to October 1, 1946.

The adjustments to Columbia's surplus, reserves against investments and capital accounts described above are summarized in the following tabulation:

	Capital surplus	Reserves	Common stock capital
Balance at Sept. 30, 1946.....	¹ \$133,723,378	\$6,168,559	\$12,229,874
Reduction in investments to underlying net book worth.....	(6,624,825)	(4,427,067)	
Reversal to capital surplus of balance in reserve for investments.....	127,098,553	1,741,492	
Payments of subsidiaries out of surplus at Sept. 30, 1946.....	1,741,492	(1,741,492)	
	794,819		
Creation of additional reserve equivalent to excess of book value over original cost.....	129,634,864		
	(4,840,056)	4,840,056	
Transfer of capital surplus to common stock capital.....	124,794,808	4,840,056	110,068,866
	(110,068,866)		
Pro forma balance.....	14,725,942	4,840,056	122,298,740

() Denotes deduction.

¹ Created by transfer of the following surplus accounts:

Special capital surplus.....	\$74,621,856
Unclassified profit or loss from sale of investments in subsidiaries.....	46,179,545
Earned surplus since Dec. 31, 1937.....	12,921,977
	133,723,378

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21408; Filed, Dec. 11, 1946;
8:50 a. m.]

[File No. 55-90]

SAMUEL HOAR AND EDWARD R. LANGENBACH

MEMORANDUM OPINION AND ORDER
APPROVING APPLICATION

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 3d day of December A. D. 1946.

Samuel Hoar of Goodwin, Proctor & Hoar, 84 State Street, Boston, Massachusetts, and Edward R. Langenbach of Brickley, Sears & Cole, 1 Federal Street, Boston, Massachusetts, have filed with this Commission an application pursuant to Rule U-63, promulgated under section 11 (f) of the Public Utility Holding Company Act of 1935, for the approval of \$35,000 as the maximum amount for which application may be made to the District Court of the United States for the District of Massachusetts as an interim allowance for their services rendered as trial counsel to Bartholomew A. Brickley, Trustee of International Hydro-Electric System, a registered holding company, from November 15, 1945 to October 29, 1946, and for the reimbursement of \$1,390.59 for expenses incurred during that period.

After appropriate notice, a hearing was held with respect to the application and no one appeared in opposition thereto.

On December 9, 1944 applicants were appointed trial counsel, pursuant to order of the United States District Court, for the purpose of initiating and prosecuting actions against the International Paper Company on behalf of Brickley as Trustee. The record indicates that the services rendered by the applicants during the period in question consisted largely of work on, and consummation of a settlement of, certain litigation brought in the name of Brickley, as Trustee, against International Paper Company, and of other related litigation, for the sum of \$10,000,000 and other consideration, which settlement

was approved by order of the District Court dated December 26, 1945, and the briefing and arguing of an appeal from said order brought by a holder of the Class A stock of International Hydro-Electric System, which appeal resulted in an affirmance of the District Court's order by the United States Circuit Court of Appeals for the First Circuit.

After consideration of the record, we are satisfied that \$35,000 is reasonable as the maximum amount for which application may be made to the District Court as an interim allowance for the services rendered and that the claimed disbursements were properly made.

It is therefore ordered that the application of Samuel Hoar and Edward R. Langenbach, pursuant to Rule U-63, be and the same hereby is approved.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21409; Filed, Dec. 11, 1946;
8:50 a. m.]

[File No. 70-1403]

WASHINGTON RAILWAY AND ELECTRIC
CO. ET AL.

NOTICE REGARDING FILING

At a regular session of the Securities and Exchange Commission held at its office in the City of Philadelphia, Pa., on the 5th day of December 1946.

In the matter of Washington Railway and Electric Company, The Washington and Rockville Railway Company of Montgomery County, Braddock Light & Power Company, Incorporated, Potomac Electric Power Company, File No. 70-1403.

Notice is hereby given that a joint application and declaration has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 (the act) by Washington Railway and Electric Company (Washington Railway), a registered holding company, and The Washington and Rockville Railway Company of Montgomery County (Rockville Railway), Potomac Electric Power Company (Potomac Electric), and Braddock Light & Power Company, Incorporated (Braddock), subsidiaries of Washington Railway. Applicants-declarants

designate sections 6, 6 (b), 9, 10, 11 and 12 (d) of the act and Rules U-23, U-43, U-44, U-45 and U-50 of the rules promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 16, 1946, at 5:30 p. m., e. s. t. request the Commission in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues, if any, of fact or law raised by said application or declaration proposed to be controverted, or may request that he be notified if the Commission should order a hearing thereon. At any time thereafter such application or declaration, as filed or as amended, may become effective as provided in Rule U-23 of the rules and regulations promulgated pursuant to said act, or the Commission may exempt such transaction as provided in Rules U-20 (a) and U-100 thereof. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania.

All interested persons are referred to said declaration which is on file in the office of this Commission, for a statement of the transactions therein proposed, which are summarized below:

Rockville Railway, a wholly-owned subsidiary holding company of Washington Railway, is the owner of 19,250 shares of the outstanding capital stock of Braddock, a public utility company. The remaining shares (50,000 shares) of the outstanding capital stock of Braddock are held by Washington Railway.

Washington Railway proposes (a) to purchase from Rockville Railway the 19,250 shares of the capital stock of Braddock owned by Rockville Railway for a cash consideration of \$132,500, and (b) to sell to Potomac Electric 69,250 shares (all of the shares outstanding) of the capital stock of Braddock for a cash consideration of \$632,500, representing the cost of stock to the holding company system of Washington Railway.

Potomac proposes to loan and advance to Braddock, from time to time, funds in the amount (not to exceed in the aggregate \$14,000,000) necessary to enable Braddock to finance temporarily the construction of generating facilities which will be used primarily for the purpose of meeting Potomac Electric's anticipated future requirements. In consideration of each loan and advance, and in the amount thereof, Braddock will execute and deliver to Potomac Electric its demand promissory notes, bearing interest at the rate of 3½% per annum, payable on December 31 of each year. Applicants-declarants state that such loan will ultimately, in due course, be permanently financed, in part, by the issue of additional capital stock by Braddock to Potomac Electric, and, if feasible, in part, by the issue and public sale of mortgage bonds by Braddock.

It is represented by applicants-declarants that the proposed acquisition by Potomac Electric of all the outstanding capital stock of Braddock will be in furtherance of the provisions of the amended plan of Washington Railway

filed with the Commission on August 30, 1946 (File No. 54-98) for simplification of its holding company system pursuant to section 11 (e) of the act, which amended plan contemplates the ultimate liquidation of Washington Railway and Rockville Railway.

Applicants-declarants request that the Commission in its order with respect to the proposed transfers of the capital stock of Braddock recite appropriate statements conforming to the requirements of section 11 (e) of the act and of Supplement R and section 1808 (f) of the Internal Revenue Code, specifying and itemizing the securities to be transferred and reciting that such transfers are necessary or appropriate to effectuate the provisions of section 11 (b) of the act.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21405; Filed, Dec. 11, 1946;
8:49 a. m.]

[File No. 70-1409]

NY PA NJ UTILITIES CO. ET AL.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of December 1946.

In the matter of NY PA NJ Utilities Company, Metropolitan Edison Company, Edison Light and Power Company, File No. 70-1409.

Notice is hereby given that a joint application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by NY PA NJ Utilities Company ("NY PA NJ"), a registered holding company, and its subsidiary, Metropolitan Edison Company ("Metropolitan"), and also by Edison Light and Power Company ("Edison"), a subsidiary of Metropolitan. Applicants-declarants designate sections 12 (b), 12 (c), 12 (d), 12 (f) and 12 (g) of the act and Rules U-42, U-43 and U-44 promulgated thereunder as applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 17, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating the reasons for such request, the nature of his interest and the issues of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 17, 1946, said joint application-declaration, as filed or amended, may be granted and permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such trans-

actions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said joint application-declaration which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

By order dated December 10, 1945 in the matter of Metropolitan Edison Company (Holding Company Act Release No. 6285), this Commission approved an application involving, among other things, the acquisition by Metropolitan of all the outstanding capital stock of Edison, subject, among other things, to the following condition:

That within one year from the date of consummation of the transactions proposed in said application-declaration NY PA NJ Utilities Company and Metropolitan Edison Company shall, in any appropriate manner not in contravention of any of the applicable provisions of the Act or the Rules and Regulations promulgated thereunder, take such steps as will eliminate the circumstance that there is a holding company which itself has a subsidiary company (Metropolitan Edison Company) which is a holding company with respect to Edison Light and Power Company.

To comply with such condition, Metropolitan now proposes to merge Edison into itself and effect a dissolution of Edison in exchange for the surrender for cancellation of all the latter's issued and outstanding capital stock, and the assumption of all of Edison's duties, obligations and debts, including particularly \$320,000 principal amount of First Mortgage 3½% Bonds, due February 1, 1966, secured by mortgage and deed of trust dated February 1, 1941 given by Glen Rock Electric Light and Power Company (to which Edison is successor) to the Marine Midland Trust Company of New York, as trustee.

It is stated that accomplishment of the proposed merger will eliminate an unnecessary subsidiary company of Metropolitan; will give Metropolitan title to and direct ownership of the property of Edison in various communities in the County of York, Pennsylvania, in which area both Edison and Metropolitan render utility service.

The applicants-declarants state that the Pennsylvania Public Utility Commission has jurisdiction over both the sale by Edison and the acquisition by Metropolitan of the franchise and property of Edison, and that an application has been filed with such Commission requesting the issuance of a certificate of public convenience covering the proposals.

The applicants-declarants have requested that the order of the Commission with respect to the transactions proposed herein be issued as soon as possible and that such order conform with the provisions of sections 373 and 1808 (f) of the Internal Revenue Code, as amended.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21406; Filed, Dec. 11, 1946;
8:49 a. m.]

WITHDRAWAL FROM EXEMPTION OF ANY COMPANY WHICH IS ISSUER OF SECURITIES OR OBLIGOR UNDER OBLIGATIONS GUARANTEED OR ASSUMED BY ANY REGISTERED HOLDING COMPANY

SUPPLEMENTARY NOTICE CONCERNING PROPOSED RULE

Supplementary notice concerning proposed rule amending Rule U-49 (c) under the Public Utility Holding Company Act of 1935.

All interested persons are advised that, at the request of Philadelphia Company, a registered holding company, the Commission has extended from December 9, 1946 until December 16, 1946, the time within which interested persons may submit data, views, and comments with respect to the proposed amendment to Rule U-49 (c) under the Public Utility Holding Company Act of 1935, which proposed amendment is set forth in the notice previously issued on November 21, 1946, and published in the Federal Register (11 F. R. 13942), and in Holding Company Act Release No. 7011. The Commission has also postponed the date upon which oral argument will be heard from December 16, 1946, to December 20, 1946, at 10:00 a. m., e. s. t. Any interested person desiring oral argument who has not already so advised the Commission should notify the Commission not later than December 16, 1946, stating the particular matters concerning which he desires to be heard, and the amount of time requested for such argument.

By the Commission.

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21403; Filed, Dec. 11, 1946;
8:49 a. m.]

[File No. 70-1410]

GENERAL PUBLIC UTILITIES CORP. AND ATLANTIC UTILITY SERVICE CORP.

NOTICE OF FILING

At a regular session of the Securities and Exchange Commission, held at its office in the City of Philadelphia, Pennsylvania, on the 5th day of December 1946.

In the matter of General Public Utilities Corporation, Atlantic Utility Service Corporation, File No. 70-1410.

Notice is hereby given that a joint application or declaration (or both) has been filed with this Commission pursuant to the Public Utility Holding Company Act of 1935 by General Public Utilities Corporation ("GPU") and its non-utility subsidiary, Atlantic Utility Service Corporation ("Auscorp"). Sections 9 (a) (1) and 10 of the act and Rules U-23 and U-43 are designated as being applicable to the proposed transactions.

Notice is further given that any interested person may, not later than December 17, 1946, at 5:30 p. m., e. s. t., request the Commission in writing that a hearing be held on such matter, stating

the reasons for such request, the nature of his interest and the issues, of fact or law raised by said joint application-declaration which he desires to controvert, or may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, 18th and Locust Streets, Philadelphia 3, Pennsylvania. At any time after December 17, 1946, said application or declaration, as filed or amended, may be granted or permitted to become effective as provided in Rule U-23 of the rules and regulations promulgated under the act, or the Commission may exempt such transactions as provided in Rule U-20 (a) and Rule U-100 thereof.

All interested persons are referred to said application or declaration (or both) which is on file in the offices of this Commission for a statement of the transactions therein proposed, which are summarized as follows:

AuscCorp proposes to sell to GPU 10 shares of Class B Common Capital Stock, without nominal or par value, of Employees Welfare Association, Incorporated (Del.) ("EWA") for \$1,000 in

cash, which is the cost of such shares to AuscCorp. Said 10 shares of Class B stock constitutes the entire outstanding capital stock of EWA, which administers certain insurance plans for the employees of companies in the GPU system and certain other companies which were formerly in the Associated Gas and Electric system.

According to the applicants, EWA owns only nominal assets, such as office furniture and supplies, and has no revenue of its own, and its expenses of operation are charged against dividends on life insurance policies which EWA receives as agent for the companies using its services. It is stated that the proposed transaction constitutes a preliminary step in the liquidation and dissolution of AuscCorp which formerly operated as a service company in the Associated Gas and Electric system, but is not now engaged in any business operations.

The joint application-declaration requests that the Commission's order granting the application and permitting the declaration to become effective be issued at the earliest possible date in order to make possible the dissolution

and liquidation of AuscCorp before the end of 1946.

By the Commission.

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F. R. Doc. 46-21407; Filed, Dec. 11, 1946;
8:50 a. m.]

WAR ASSETS ADMINISTRATION.

[Rev. Special Order 26, Revocation]

DISPOSALS OF ALUMINUM BY WAR ASSETS CORPORATION

Surplus Property Administration Special Order 26, January 31, 1943, entitled "Disposals of Aluminum by War Assets Corporation" (11 F. R. 1379) is hereby revoked and rescinded.

This revocation shall become effective December 11, 1946.

ROBERT M. LITTLEJOHN,
Administrator.

DECEMBER 6, 1946.

[F. R. Doc. 46-21554; Filed, Dec. 11, 1946;
11:18 a. m.]

